

Corporate Select Committee

Date: **Monday 25 January 2021**

Time: **10am**

Venue: **Virtual Teams Meeting**

Pursuant to The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020, the 14 September Corporate Select Committee meeting of Norfolk County Council will be held using video conferencing.

To view the meeting online, please follow this link to the County Council Committees You Tube page:

<https://youtu.be/PwQmY3mABO8>

Membership:

Cllr K Vincent (Chairman)
Cllr P Carpenter
Cllr N Dixon
Cllr C Foulger
Cllr T Jermy
Cllr C Jones
Cllr I Mackie

Cllr B Long
Cllr D Roper
Cllr R Oliver
Cllr M Stone
Cllr S Squire
Cllr J Ward

A g e n d a

1 To receive apologies and details of any substitute members attending

2 Minutes

To receive the minutes of the previous meeting held on 9 November 2020 **Page 4**

3 Members to Declare any Interests

If you have a **Disclosable Pecuniary Interest** in a matter to be considered at the meeting and that interest is on your Register of Interests you must not speak or vote on the matter.

If you have a **Disclosable Pecuniary Interest** in a matter to be considered at the meeting and that interest is not on your Register of Interests you must declare that interest at the meeting and not speak or vote on the matter

In either case you may remain in the room where the meeting is taking place. If you consider that it would be inappropriate in the circumstances to remain in the room, you may leave the room while the matter is dealt with.

If you do not have a Disclosable Pecuniary Interest you may nevertheless have an **Other Interest** in a matter to be discussed if it affects, to a greater extent than others in your division

- Your wellbeing or financial position, or
- that of your family or close friends
- Any body -
 - Exercising functions of a public nature.
 - Directed to charitable purposes; or
 - One of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union);

Of which you are in a position of general control or management.

If that is the case then you must declare such an interest but can speak and vote on the matter.

4 To receive any items of business which the Chairman decides should be considered as a matter of urgency

5 Public Question Time

Fifteen minutes for questions from members of the public of which due notice has been given. Please note that all questions must be received by the Committee Team (committees@norfolk.gov.uk) by **5pm Wednesday 20 January 2021**. For guidance on submitting a public question, view the Constitution at www.norfolk.gov.uk/what-we-do-and-how-we-

6 Local Member Issues/Questions

Fifteen minutes for local member to raise issues of concern of which due notice has been given. Please note that all questions must be received by the Committee Team (committees@norfolk.gov.uk) by **5pm on Wednesday 20 January 2021**.

7 Business Transformation (Smarter Working) Programme Update **Page 10**

Report by the Director of Transformation

8 Digital Strategy and Roadmap Progress Update **Page 18**

Report by the Executive Director of Finance & Commercial Services

9 Human Resources and Finance Programme Update **Page 26**

Report by the Executive Director of Finance and Commercial Services

10 Proposed Amendments to the Council Constitution **Page 34**

Report by the Director of Governance and Monitoring Officer

11 Forward Workplan **Page 195**

Note by the Executive Director of Finance and Commercial Services

Tom McCabe Head of Paid Service
County Hall
Martineau Lane
Norwich
NR1 2DH

Date Agenda Published: 15 January 2021



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Corporate Select Committee

Minutes of the Meeting Held on 9 November 2020 at
10 am as a virtual meeting

Present:

Cllr Karen Vincent (Chair)

Cllr Penny Carpenter (Vice-Chair)
Cllr Mark Kiddle-Morris (sub for Cllr Nigel Dixon)
Cllr Colin Foulger
Cllr Terry Jermy
Cllr Steve Morphew (sub for Cllr Chris Jones)
Cllr Tony White (sub for Cllr Ian Mackie)

Cllr Brian Long
Cllr Vic Thomson (sub for Cllr Rhodri Oliver)

Cllr Sandra Squire
Cllr Margaret Stone
Cllr Dan Roper (substitute for Cllr John Timewell)
Cllr John Ward

Also Present:

Cllr Tom FitzPatrick (Cabinet Member for Innovation, Transformation and Performance)

Cllr Margaret Dewsbury (Cabinet Member for Communities and Partnerships)

1A Apologies for Absence

1A.1 Apologies for absence were received from Cllr Rhodri Oliver, Cllr Nigel Dixon, Cllr Chris Jones, Cllr John Timewell and Cllr Ian Mackie.

2 Minutes

2.1 The minutes of the meeting held on 14 September 2020 were agreed as an accurate record and signed by the Chairman.

3 Declarations of Interest

3.1 Cllrs Karen Vincent and Penny Carpenter declared an “other interest” because they were members of the Norfolk Pension Fund scheme.

4 Items of Urgent Business

There were no items of urgent business.

It was noted that County Council would be asked to appoint Penny Carpenter as

vice-Chair of the Committee when it next met.

5 Public Question Time

5.1 There were no public questions.

6 Local Member Issues/Questions

6.1 There were no local Member questions.

7 Human Resources and Finance System Transformation Project – Update

7.1 The annexed report (7) by the Executive Director of Strategy and Governance and Executive Director of Finance and Commercial Services was received.

7.2 The Committee received a report on the actions that were taken since the last substantive report in July 2020. The purpose of the report was to advise Corporate Select Committee of the progress made to date in delivering the configured system but also in identifying the business adoption challenges and work in plan to address these.

7.3 Cllr FitzPatrick (Cabinet Member for Innovation, Transformation and Performance) covered the Introductory section of the report and specifically why this was a key point in the programme where it was important for the Council to remain firm in the resolution to implement as far as was possible the standard processes within the system as this would maximise the benefits to be achieved.

7.4 The following were the key points of discussion:

- Members were reminded that a revised go-live date of November 2021 was agreed over the summer, this was following a re-plan which took into account the impact of Covid-19 on the ability of all parties (system supplier, systems implementers and NCC) to deploy resources.
- Member workshops were held in October 2019 and February 2020 to engage Members in the scope of the programme, the technology available and the opportunities presented to transform service delivery and realise savings.
- Work was taking place to identify all stakeholder groups and workshops to consider the business impacts in detail were taking place to develop action plans to take forward.
- The Programme had progressed into its implementation phase with activity being focussed on:
 - Identifying the specific configuration, required to support realising the strategic benefits and savings associated with the system implementation.
 - Aligning to the configuration decisions and understanding the business adoption required to gain full benefit of the configured solution.
 - Ensuring that business adoption is planned appropriately, and stakeholders involved in the system implementation identified.

- The overall budget was currently on track, with some pressures on project team costs because of needing to engage Agency workers in key roles, where direct recruitment had not proved possible.
- The retention of agency staff with very specific skill sets required to deliver the programme was being carefully reviewed and steps were being taken to mitigate against this risk wherever possible.
- It was confirmed that a Programme Director had been appointed to the programme and that arrangements for the appointment of a Business Change Partner were in place with the contract due to be awarded by 24 November.
- Members of the Committee noted that this was a complex subject area that needed to be made easier to understand. It was suggested that future reports should show progress not only in terms of the programme timetable but also provide further detail for the implementation stage activities.
- The Committee asked to be kept informed of developments regarding the above-mentioned points at its next meeting.

7.5 **The Committee RESOLVED:**

To acknowledge and support the work completed to date, the next steps as described in the report and to ask for an assurance about the use of agency workers to fill critical roles in the Programme Team and for this to be added as part of reporting of Risk RM027 : Risk of failure of new HR and Finance system implementation.

8 **Recruitment update – Norfolk County Council**

- 8.1 The annexed report (8) by the Executive Director of Strategy and Governance was received.
- 8.2 The Committee received an update on progress to develop the Norfolk County Council recruitment brand and requirements to attract the right talent and skills. A presentation was provided on this work and insights between March and August 2020 with comparisons back to 2019. (The presentation was made available on the committee pages website).
- 8.3 Committee agreed with the key priorities that were set out in the report, namely:
- Targeted attraction campaigns to increase applications for challenging roles to fill using specific recruitment marketing activity to reach our target audience. An example includes reaching out to underrepresented groups through our Firefighter campaign to increase diversity.
 - Review end to end recruitment to reduce time to hire from its current timeline of 37 days using remote interviewing. Reducing time to hire can reduce temporary employment costs of agency workers.
 - Continue to develop our careers pages to engage a wider audience of “Our Deal”
 - Develop our offer as an inclusive employer enabling our colleagues to thrive in a workforce that is representative of the diverse communities, we serve.
 - Implement functionality to support recruiting managers with higher volumes

of applications due to the current job market.

- 8.4 The Committee considered the targeted attraction campaigns (using specific recruitment marketing activity) that were being used to reach targeted audiences and increase applications for challenging roles. Other specific issues that were considered by the Committee included the changing demographic of the Council workforce and the implications of the Covid-19 pandemic for the recruitment of staff.

8.5 **The Committee RESOLVED:**

To acknowledge the many insights that the report provided into the Council's recruitment requirements, the good progress that was being made to meet those requirements and agreed the priorities that were identified in the report.

9 **2020 Staff Survey Report and Next Steps**

- 9.1 The annexed report (9) by the Executive Director of Strategy and Governance was received.

- 9.2 The report provided the results of NCC's second staff survey, based on 'the deal' between employees and NCC, that occurred between 9 March-14 April 2020, which included a two-week extension due to the COVID 19 lockdown. The timing of this year's survey was brought forward from 2019 to align better with the start of the financial year and was therefore carried out 10 months after the previous survey.

- 9.3 The following were the key points of discussion:

- The planned framework used to engage managers and staff with the 2020 Survey Results
- Learning from the 2019 staff survey.
- The impact of running the survey during the pandemic.
- Findings from the 2020 Survey.
- The impact to date following 2 Staff Surveys.
- Work to support people who were living and working remotely in Norfolk and to support those were not familiar with the use of new technology.
- The significance of the Norfolk Kickstart programme.

9.4 **The Committee RESOLVED:**

1. **To acknowledge the key messages from the survey and how they were being recognised and acted upon.**
2. **To support the steps being taken to improve the performance, engagement and wellbeing of colleagues.**

10 **Customer Services update**

- 10.1 The annexed report (10) by the Executive Director of Community and

Environmental Services was received.

- 10.2 The Committee received a report and a presentation that provided an update on the work to date in support of the response to Covid-19 and identified some considerations for the Customer Service Strategy.
- 10.3 The issues that were considered by the Committee included:
- Increased use of digital channels.
 - Additional duties to support Public Health in the medium term.
 - Resetting the service proposition for Norfolk County Council and the development of a service standard.
- 10.4 Members were invited to attend workshops to further input to and develop the Customer Service Strategy for 2020-2025. Dates would be circulated.
- 10.5 **The Committee RESOLVED:**
- 1. To acknowledge the work carried out so far in responding to Covid-19, and considerations and emerging themes for the Customer Service Strategy.**
 - 2. To ask for the Customer Service Strategy to be added to March 2021 on the Forward Work Plan.**
 - 3. Members to be invited to attend workshops to further input to and develop the Customer Service Strategy 2020-2025.**
- 11 **Proposed Amendments to the Council Constitution**
- 11.1 The annexed report (11) by the Executive Director of Strategy and Governance was received.
- 11.2 Cllr Morphew drew attention to the proposed change at paragraph 3.4.5 of the constitution (on page 83 of the agenda) and suggested that the rights of non-aligned independent member(s) should be the same as those of other members. There had been some discussion on this prior to the meeting but there was no agreement and there had not been time for this matter to be shared with all Members of the Committee.
- 11.3 Cllr Morphew and Cllr Long said that an extra layer of detail was required at paragraph 3.4.5 of the constitution about how cross-party amendments could be made during budget setting meetings and about how the right to put forward amendments that related specifically to an electoral division should be the same for all Members. They said that this paragraph raised issues of protocol that could be considered for possible inclusion in a member handbook.
- 11.4 The Chair said she agreed with comments made by the Director of Governance that a recommendation should be made to Council on this issue and that Members should work through their Group on budget setting proposals.
- 11.5 Cllr Morphew moved duly seconded by Cllr Kiddle-Morris

“To forward the proposed amendments to Council for determination without a recommendation by this Committee.”

On being put to the vote this motion was LOST there being 8 votes in favour and 3 votes against.

11.6 The Chair moved, duly seconded by Cllr Carpenter

1. To agree the amendments proposed for recommendation to Council at its meeting on 23 November 2020, at:

1.1 Appendix 5 (Officer Delegations)

1.2 Appendix 15 (Financial Regulations)

1.3 Appendix 16 (Contract Standing Orders) for immediate implementation after the Council meeting. With the exception of para 3.4.5 on which the Committee make no recommendation but ask the Monitoring Officer and s151 officer to make a recommendation to Council on this issue.

2. To agree that all members should be given an opportunity to comment on proposals before the final draft of the revised Constitution is considered by the Corporate Select Committee. As the Constitution is a large document, it is recommended that the remaining sections of it be reviewed in two separate Corporate Select Committee meetings, with part of it coming to the meeting on 25 January 2021 and the remainder to the meeting on 15 March 2021 for determination which amendments should be recommended to Full Council at its April 2021 meeting.

This was agreed unanimously.

11.7 **The Committee RESOLVED accordingly.**

12 **Corporate Select Committee Forward Work Plan**

12.1 The annexed note (12) by the Executive Director of Strategy and Governance was received.

12.2 **The Committee RESOLVED**

To endorse the areas of focus for future meetings subject to the changes that came out of today’s meeting regarding reports to meetings in January 2021 and March 2021 on the constitution, a report to the March 2021 on the Customer Services Strategy and the Review of Unconscious and Structural Bias in January 2021, if possible.

Chair

The meeting concluded at 1.42 pm

Corporate Select Committee

Item No. 7

Report title:	Business Transformation (Smarter Working) Programme
Date of meeting:	25 January 2021
Responsible Cabinet Member:	Cllr Fitzpatrick (Cabinet Member for Innovation, Transformation and Performance)
Responsible Director:	Sam Pittam-Smith, Director of Transformation

Introduction from Cabinet Member

The Business Transformation (Smarter Working) Programme was established following the adoption of the 2020-2024 Medium-Term Financial Strategy. A savings target was set to achieve through implementing more business-like Smarter Working; utilising physical space and technology to maximise flexibility for customers and staff whilst effectively delivering good outcomes.

There is a separate report on regarding the HR and Finance Transformation programme and how it will fundamentally reshape HR, Finance and Procurement processes, and activities across the organisation.

Executive Summary

A report was presented to the Corporate Select Committee in September 2020. At that stage, the County Council and wider Norfolk Resilience Forum was in the normalisation phase to the COVID-19 pandemic. Since that report, we have reverted to response mode due to the continuation of the pandemic and rise in cases. Following an announcement on 4th January 2021, the UK has entered into a further lockdown phase, expected to last at least until mid-February, therefore we remain in response mode for the foreseeable future.

This report describes the current status of our Business Transformation and the key areas of focus for the next 6 months in light of the current lockdown.

Select Committee will receive a detailed presentation at the meeting.

Actions required

The Select Committee are asked to:

- 1. Acknowledge how the COVID-19 pandemic has continued to impact, in both a positive and negative manner.**
- 2. Consider the identified priority areas for our Business Transformation, over the next 6 months and identify any other areas of work that should be included.**

- 3. Agree that a further report be made to Select Committee, with an updated plan that takes our transformation forward going during normalisation, in July 2021 (assuming we have re-entered the normalisation phase).**

1. Background and Purpose

1.1. Background

A report was presented to the Corporate Select Committee in September 2020. At that stage the County Council and wider Norfolk Resilience Forum were in the recovery phase to the COVID-19 pandemic. However, cases began to rise again in October to rise again leading to a second national lockdown from 5th November for weeks. This led to the County Council and Norfolk Resilience Forum reverting to the response phase of pandemic 3-phased plan (response, normalisation and recovery).

The programme consists of 6 streams of activity that drive smarter working through:

- staff engagement
- incremental change
- increased collaboration
- realignment of parts of our operating model and organisational structure
- rationalisation and deduplication
- leverage of digital technology
- digital upskilling
- process improvement and automation
- commercial review.

1.2. Purpose

The purpose of this report is to the Corporate Select Committee is to describe the current status of our Business Transformation (Smarter Working) Programme. This includes the ongoing impacts of the COVID-19 pandemic and the steps taken to re-baseline the programme.

2. Progress

2.1 COVID-19 Pandemic Response Impact to Business Transformation

Our response to the COVID-19 pandemic has led to profound changes in the way a large proportion of colleagues in the County Council work and the way services are delivered. During the brief period in the normalisation phase, the programme was reviewed, and some activities resumed. However, the return to the response phase has meant some of those activities had to be paused again.

2.2 Changes to ways of working, improvement of processes and making better use of technology to enable colleagues to work smarter

The pandemic has presented challenges to every colleague in the organisation that have required a rapid change to ways of working or repeated furloughing and returns to work. It is our frontline staff who interact with our service users and citizens that have faced some of the most significant challenges.

Technology has been utilised to support many to continue to work effectively over the last 9 months. 3 months after the initial changes HR led a Smarter Working Engagement with staff and managers to gain insight into colleagues experience of the changes, both positive and negative, to feed into the next phase of the Business Transformation activity. This involves building on the good progress already made in moving to Smarter ways of Working, addressing any residual issues and challenges, and looking to the future and how we make best use of our property given the changes to how we work.

In addition, we are maturing the approach to ensure that taking a “digital by design” approach is not at the cost of delivering the desired service outcomes; this is particularly important when looking at the opportunities for Smarter Working for place based services, such as the fire service and road maintenance, where working from home is not a practical option to deliver the desired outcomes.

The other area where technology is being utilised, and will remain a focus for the programme, is digital upskilling. The initial activity is focused on our staff. However digital literacy and upskilling of partners and service users is part of the planning of individual initiatives.

Smarter Working is also about evidence-based working so we are looking to increase and improve our use of data and information across services.

2.3 Using an enhanced travel capability will enable more options and greater efficiency when colleagues do need to travel

As might be anticipated, this year has seen a significant reduction in travel for many colleagues leading to an in-year saving 14.6 times higher than expected, with reduced mileage making a significant contribution. We are also predicting a corresponding drop in our carbon footprint resulting in an estimated 41% reduction associated with travel compared to 19/20. (The final figures will be confirmed in the NCC Carbon Footprint report to the members group on Carbon Matters).

As part of the current phase of activity, we are working with colleagues to identify where the current ways of working are Smarter Working and will continue post-COVID-19, and where service outcomes are being impacted by the current restrictions and some travel may need to resume, once permissible, in order for the Council to meet its objectives. In addition, we are actively encouraging, and supporting, services switching from petrol to electric vehicles (EVs) by installing an initial tranche of EV charging points at County Hall by the start of the coming financial year.

2.4 **Making better use of our properties** and reducing the cost of external venue hire

The building rationalisation strategy was paused in the short term. However, work is once more underway following the Smarter Working Staff Engagement feedback that supports the Smarter Working principles; in particular a more outcome based approach to delivery and better more creative use of technology and physical space that supports collaboration and reduces our accommodation related expenditure. This work is taking into account the different types of services that we deliver, and some are place based and will require staff to deliver from a specific location so that we take sensible and prudent decisions that are sustainable.

As expected, venue hire has been minimal this year increasing the in-year saving by 375%. However, some venue hire is likely to recommence post-COVID-19. This will be reviewed as part of the Smarter Working activity and post-COVID-19 statutory and legal requirements. What type of venues and accommodation we need is part of the property review.

2.5 **Enabling Districts to better detect and prevent council tax errors and fraud**

The County Council has worked in partnership with district councils on the counter fraud activity. Early indications are that the pilot work has been a success. It has seen antifraud data review changing in frequency from a biennial (every two years) activity to monthly. Other districts are supportive of the work in principle. On the basis of sustained benefits in the pilot area, work (paused due to COVID-19) will recommence with other districts to achieve similar benefits. In addition, new areas are being explored to extend the work to other areas such as business rate and allowance fraud. However, it is not anticipated that there will be an overall rise in council tax income yet, due to the impact of the pandemic.

2.6 **Digitisation of print, post, scan and record storage**

This is another area where significant progress has been made despite the necessity of pausing elements of the activity due to lockdowns and other COVID-19 related restrictions. Work continues at pace to realise savings in these areas together with accelerated implementation of inbound and outbound digital post and digital signatures.

Across the County Council, digital is now becoming the records management standard. The use of off-site archive storage space, with associated costs, is reducing, albeit at a slower pace than anticipated. This activity is currently paused due to the lockdowns. However, in year savings are 100% higher due to a significant portion of staff working from home and no longer printing as a matter of course, as well as more targeted initiatives that are reducing the need to print documents. Work is well underway with heavy print users to identify how Smarter Working can be implemented that achieves the service objectives.

2.7 Making the most of self service and process automation technology to make everyday business transactions more efficient

Work is underway to deliver process automation projects and identify further opportunities to increase self-service and process automation going forward.

This will be a key component of the HR and Finance Transformation programme benefits. (Please see separate report).

Delivery of our action plan in response to the Peer Review has resumed. The action plan includes;

- Reputation and relationship management.
- Budget and performance.
- Management practice.
- Organisational effectiveness and transformation.
- Governance.
- Inclusive Growth.

2.8 Ensuring payment to contracted terms and offering early payments to suppliers for a discount

Procurement Policy Notes issued in response to COVID-19 to alleviate supplier cashflow issues has resulted in a pause on this activity until the national policy position changes, at which point we will resume.

2.9 Reviewing traded services and arm's length companies, to make sure they continue to run successfully on a fair commercial basis

Activity is underway on traded services and some savings have been realised. Registrations and ICT Solutions – (formally Schools IT team) are two examples where services successfully gained a charter, with Calibrations currently going through the process. However, this is an area where activity has slowed down due to the impact of the pandemic. Therefore, the short-term focus is to consolidate the review work already undertaken, to embed within a trading charter and then to start to extend the scope of the work to all traded services. The strategic aim remains to review all traded services and arm's length companies, to make sure they continue to run successfully on a fair commercial basis, with all associated running costs identified and taken into account.

2.10 Greater collaboration and improvement of processes to secure additional inward funding through successful external funding bids

The funding landscape has changed, as a result of COVID-19. We are in the process of reviewing the funding landscape and will continue to take every opportunity that aligns with our strategy and plans, particularly in the digital innovation to support Smarter Working corporately and across services where appropriate. A recent example was the successful bid for £262,473 by the

Innovation team from the STP Digital Accelerator fund, to support the piloting of 200 video care phones with our day service users.

In addition, the Smarter Working Programme Group is providing a key space to drive collaboration across the Council.

3. Proposal

3.1. The proposal for the next 6 months:

- Priority areas are:
 - engage with staff and Members about the current/ future ways of working and property use in order to maintain the pace of change, morale and mental wellbeing
 - Resolving any residual challenges with Smarter Working to ensure staff are working effectively and productively from appropriate locations
 - Smarter ways of Working driving the building rationalisation
 - Maximise our use of technology to support Smarter Working, collaboration, process redesign and self-service. (This includes print and post, maintaining reduced travel etc).
 - Deliver the remaining actions under the Peer Review.
 - Identify business adoption challenges for HR and Finance Transformation Programme which align with broader Smarter Working objectives to avoid duplication and ensure best use of resources.
- Additional areas, which will depend on the course of the pandemic and our response:
 - enabling Districts to better detect and prevent council tax errors and fraud, to ensure that revenue is protected
 - increase our use of data to drive decisions at all levels across NCC
 - continue the digitisation of records and reduction in file storage costs
 - ensuring payment to contracted terms and offering early payments to suppliers for a discount, while considering the impact Covid-19 has had on the local economy and supply chain.
 - consolidate traded services review work and bring reviewed services to charter, to make sure they continue to run successfully on a fair commercial basis.

4. Impact of the Proposal

4.1. The proposal will:

- realise the potential in the opportunities that have arisen from the challenges created by the Covid-19 Pandemic response.
- deliver committed financial savings in line with FY21/22 budget setting.
- result in a further report to be made to Corporate Select Committee in May 2021 with an updated plan that takes our longer-term business transformation forward post-COVID-19.

5. Financial Implications

5.1. The programme has a target to realise savings of £1.260m in FY20/21 and a further £4.388m in FY21/22. We are currently on track to realise £3.381m in FY20/21 but it should be noted some of these savings are in year and not recurrent.

The HR and Finance Transformation Programme will realise full year savings from 2022/23.

The Medium Term Financial Strategy agreed in February 2020 included anticipated Business Transformation savings, with a total of £4.388m relating to 2021-22 held within central budgets on the basis that these would be apportioned to the appropriate budgets as detailed proposals were brought forward and the delivery of savings validated. The transfer of the centrally held saving into service budgets will therefore be reported as part of the 2021-22 budget setting process as service savings proposals are developed.

The delivery of 2020-21 business transformation savings is reported in the regular Financial Monitoring to Cabinet.

6. Resource Implications

6.1. Staff, Property, IT: The resources required to deliver the programme is kept under constant review as circumstances change and new opportunities and initiatives are identified. This includes consideration of invest to save initiatives. There may be a need for additional capital funding to deliver key areas of work identified within the programme, in which case capital bids will be submitted as required.

7. Other Implications

7.1. Legal Implications: N/A

7.2. Human Rights implications: N/A

7.3. Equality Impact Assessment (EqIA): The EqIA implications of the programme take place at an initiative level. However, this will be re-visited in February 2021.

8. Actions required

8.1. The Select Committee are asked to:

- 1. Acknowledge how the COVID-19 pandemic has continued to impact, in both a positive and negative manner.**
- 2. Consider the identified priority areas for our Business Transformation, over the next 6 months and identify any other areas of work that should be included.**
- 3. Agree that a further report be made to Select Committee, with an updated plan that takes our transformation forward going during normalisation, in July 2021 (assuming we have re-entered the normalisation phase).**

Officer Contact

If you have any questions about matters contained in this paper, please get in touch with:

Officer name: Sam Pittam-Smith

Tel No.: 07810 888272

Email address: s.pittamsmith@norfolk.gov.uk



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Corporate Select Committee

Item No. 8

Report title:	Digital Strategy and Roadmap Progress Update
Date of meeting:	25 January 2021
Responsible Cabinet Member:	Cllr Fitzpatrick (Cabinet Member for Innovation, Transformation and Performance)
Responsible Director:	Simon George – Executive Director, Finance & Commercial Services

Introduction from Cabinet Member

The current Digital Norfolk Strategy was published in March 2018, since then we have been executing these plans to improve the availability and use of digital infrastructure, systems and data.

Digital connectivity has been improved across the county for residents, businesses and visitors. We have also made significant progress in refreshing the Councils internal digital infrastructure and the ability of our staff to fully exploit the technology and data. This work has culminated in Norfolk being awarded the Connected Britain Digital Council of the Year 2020 award.

At the January and September 2020 committee meetings, the Committee heard about the progress made in delivering the 2018 strategy, the implications of the NCC Covid response and plans to develop a longer-term strategy for the 2020s. As requested, this report is presented to share the latest draft of the Digital Strategy and Roadmap for 2021-2030.

Executive Summary

The Council's current digital strategy exists for two main reasons, firstly to support growth, both business growth and the wider strategic agenda of inclusive growth for the people of Norfolk, and secondly, to enable all areas of the County Council's operations to exploit digital, technological and data driven opportunities to achieve the best possible outcomes within our budgets.

As the current strategy cycle draws to a close, research and consultation has been ongoing to refresh and extend the Digital Strategy so that it operates as a Digital Strategy and Road Map for the 2020s.

The purpose of this report to the Corporate Select Committee is to provide an update on progress since the earlier draft was shared in September 2020 and seek approval to share the strategy more widely with our service delivery partners.

The 2018-2021 Digital Norfolk Strategy oversaw many improvements to the Council's technological and digital infrastructure as well as connectivity for Norfolk's residents and businesses. We therefore build on solid foundations as we look forward to how technology and digital services should evolve during the 2020's.

Broadband and mobile services are now roughly on par with the overall national average and better than many other rural counties, but more needs to be done to achieve our objective of 100% fixed and mobile coverage, so this remains a key strategic focus area.

Digital skills, digital inclusion, seamless multi-agency public sector working, carbon reduction, use of IoT networks, low-code/no-code development, exploiting data and supporting the transition to electric vehicles are all growth areas for the ambition of the strategy.

Emerging technologies such as Artificial Intelligence (AI) will be monitored as they develop and integrated into NCCs technology stack when they are sufficiently mature and safe to use.

The strategy incorporates technology roadmaps for the effective maintenance of our many existing systems as well as the development of new capabilities.

Actions required

The Select Committee are asked to:

- 1. Consider the draft Digital Norfolk Strategy and Roadmap and provide feedback on any changes the Committee wish to see incorporated.**
- 2. Agree that the Strategy and Roadmap is ready to share with wider Public Sector service partners before returning to the committee for final approval.**

1. Background and Purpose

- 1.1. The purpose of this report to the Corporate Select Committee is to provide an update on progress since the plans were last reviewed in September 2020. Also to seek approval to consult with our public sector service delivery partners so that the strategy supports effective, placed based, multi-agency delivery for the people of Norfolk.

This latest iteration of the Strategy builds on the engagement work with departments that Information Management and Technology (IMT) and Strategy, Innovation and Performance (SIP) have undertaken since the last report to the Corporate Select Committee.

The Council's Digital Norfolk strategy exists for two main reasons, firstly to provide the platform to enable business growth and inclusive growth for the people of Norfolk, and secondly, to enable all areas of the County Council's operations to exploit digital, technological and data driven opportunities to achieve the best possible outcomes within our budget.

The primary elements of the Digital Norfolk Strategy objectives are as follows:

- Enhancing service delivery to our citizens – through improved broadband, mobile coverage and wider digital inclusion support, our residents will be able to access appropriate services online at a time and place that suits them and fits with the demands of modern life. Accelerating the use of assistive technologies to give people the skills and confidence to live independently and safely in their own home for as long as possible.
- Enable employees – Staff will have access to the right technology and data and have the skills to use them effectively. Taking a systematic approach to transactions and redesigning internal systems to be digital by design. This will improve productivity and take out cost across the organisation.
- More effective use of data - Business insight: Data should be exploited effectively for operational and strategic purposes. Data driven decision making will enhance our ability to target services more effectively across the county. Multi-agency data sharing for collective benefit will be routinely used.

- 1.2. It is requested that the Corporate Select Committee note the latest iteration of the Strategy and Roadmap and provide guidance regarding any changes in scope, emphasis or approach that should be considered ahead of embarking on wider consultation with our service delivery partners.

2. Proposed Strategy

- 2.1. This digital strategy and roadmap explain how we are going to build on our past and current successes, as the Connected Britain Digital Council of the Year 2020.

Our corporate plan articulates a clear vision for Norfolk, via our priorities

- Focusing on inclusive growth and improved social mobility
- Encouraging housing, infrastructure, jobs and business growth across the County
- Developing our workforce to meet the needs of the sectors powering our local economy
- Work to reduce our impact on the environment
- This way we can help Norfolk have a growing economy, full of thriving people living in strong communities we are proud of

Our digital strategy and road map for the 2020s supports that corporate vision, not by technological change for the sake of change but is fundamentally driven by our ambition for our County to be a place where we put people first, a place of opportunity where we can fulfil our potential and live productive, healthy and independent lives, a place for economic growth and regeneration whilst protecting our environment and a place where we can access the education, skills and employment that we seek.

3. Impact of proposal

3.1. If we successfully deliver this strategy, during the 2020s, then we will have achieved:

- A fundamentally better resident experience whenever and however they interact with us irrespective of what service they need
- A better understanding of our residents, their needs and future demand through a modern approach to data and insights that focuses on collaborative sharing of data with partners to continuously improve services and make better decisions
- A more cohesive and collaborative council, that builds partner networks, innovates through co-production with residents and becomes more transparent with its data and decision making
- A more sustainable financial model, where we can improve service delivery while maintaining or reducing costs
- A positive impact on our climate commitments to be carbon neutral by 2030, through a radical reduction in the use of paper, a move to digital record and cloud based storage solutions, reduced postage, increased use of virtual communication systems and more intelligent travel choices that reduce carbon emissions.
- Residents and businesses with access to the internet and sufficient digital skills to achieve the financial, educational, social and health benefits that come with digital inclusion.
- Elected members who have the technology and digital skills to support their whole community and have access to the most accurate, up-to-date data available to support key decision making and organisational scrutiny
- Happier, more efficient staff who have the technology and skills they need to do their jobs.

And staff who will have had many of their time consuming, repetitive tasks automated to allow them to use their expertise to focus on adding value to the work we do with Norfolk residents

4. The Digital Strategy and Roadmap Components

4.1. The strategy and roadmap will take the form of an overarching document and linked presentations, supported by a series of more detailed technical roadmaps for the development of various elements of our technological portfolio.

The Strategy and Roadmaps have been initially developed as PowerPoint presentations to enable them to be more effectively shared with internal and external stakeholders. This approach allows changes to be made more easily based on feedback. The written report will be finalised when the consultations phases have been completed.

These materials will be updated on an annual basis to keep in line with evolving council priorities, budgets, technological and societal developments.

4.2. **Presentation 1 – Digital Strategy and Roadmap:** This contains the primary strategy & roadmap content and includes the following.

- Executive summary
- Current activities, priorities and strategic context
- What our departments said about where they want to get to in the next 5 years
- What comes next? The emerging future of technology
- What comes next? Has the pandemic changed anything?
- What are our partners doing?
- Technology is just one part of the change process
- Building on our success – key priorities moving forward
 - Improving Business Practices
 - Data
 - Digital Skills & Reducing Digital Exclusion
 - Partner Networks
 - Key service specific issues
 - Horizon Scanning
 - Staff & Citizen Engagement
- Cyber security
- Developing technology specific road maps till 2025
 - Identity & Access Management
 - Data Centre Infrastructure
 - Data Management
 - Collaboration & End User Technologies
 - Cloud & Edge Computing
 - CRM Strategy & Customer Experience
 - IT Operations & Cloud Management
 - Data Analytics & Artificial Intelligence
 - Applications Platforms, Architecture & Integration
 - Security Management Programmes
 - Agile Software Development & DevOps
 - Security Technology, Infrastructure & Operations
- What this strategy means for you
 - Staff and managers
 - Elected members
 - Citizens of Norfolk
 - Our partner organisations
 - Norfolk Business Community

The importance of Digital Inclusion and the role of the strategy in support of the Council's Carbon reduction targets have emerged as increasing priorities during the latter part of the consultation. These themes will be further developed in conjunction with our service delivery partners and wider stakeholder engagement.

4.3. **Presentation 2 – Case Studies and Appendices**

In order to keep the size of the presentation manageable, the following associated strategies, plans and other supporting materials are in their own linked presentation and will be referenced in the overarching strategy document.

- 5-year Customer Experience Strategy
- Digital inclusion – Healthy Libraries
- Digital inclusion – Video Care phones Pilot
- Data & Analytics- Corporate Strategic approach
- Data & Analytics for Finance & HR
- Norfolk Office of Data & Analytics (NODA)
- Digital Strategy for Care
- GO Digital – free business support to become more digital
- LoRaWAN – largest free public sector deployment in UK
- LoRaWAN – case studies inc Highways, Museums and business applications
- Schools Digital Skills
- Innovation Network – Assistive Technology & Sensors
- Integrating the Fire Service

5. **Progress on work to refresh and extend the Digital Norfolk Strategy and Roadmap for the next 10 years**

- 5.1. As the Digital Norfolk Strategy developed for the Digital Committee is nearly three years old now and given that we have delivered many of the planned changes, we are in the process of refreshing our technology roadmap to support the future needs of the council, the county and its people. The new technology roadmap to be an ambitious 10-year plan incorporating a combination of maturing, emerging and predicted technologies. This plan was initiated jointly by the Information Management & Technology Service (IMT) and the Strategy Innovation & Performance team and has engaged council service leaders, elected members, partner organisations, external experts and residents during its development.
- 5.2. **Progress to date:** Phase 1 of this work consisted of understanding the two to three-year technological direction of the organisation that had already been mapped out by departmental business plans and senior leadership decision making. Examples of these include our strategic relationship with Microsoft, the ongoing exploitation of Liquid Logic (Social Care) and a new Finance and HR

system. It was clear from this work that as an organisation we have an excellent understanding of our tech needs in the short to medium term and how we are going to achieve those requirements.

Phase 1 work also began on horizon scanning to identify emerging trends and changes in technology.

Phase 2 of the project involved a programme of departmental engagement events which were designed to look into the 5 to 10-year horizon for change within service areas. Technology that is a key enabler of these changes was then identified. During this period, we have also engaged with external research expertise to validate our approach and to understand the digital maturity of the organisation.

Though engagement work was delayed due to the pandemic, the internal consultation with directorates is now complete. These discussions have identified key organisational themes including: Data, Business Practices, Digital Skills, Partner Networks and Key Service Issues.

Phase 3 will be to conduct external consultation with partner organisations, residents and businesses before finalising the Strategy and bringing it back to Corporate Select committee for a final review.

- 5.3. **Next Steps:** To consult with the Council's service delivery partners and wider stakeholders before returning to the Corporate Select Committee and Cabinet for final approval.

Once completed and approved, the roadmap will become a key document supporting the organisations strategic direction during the next planning cycle and beyond.

6. Financial Implications

- 6.1. The various technology initiatives in the Digital Norfolk Strategy are budgeted to realise over £10M of savings, this report has no direct costs or savings associated as it is a review of progress to date and future direction.

7. Resource Implications

- 7.1. Resources are already allocated for the current work programmes and will have to be established for any future plans that are developed.

8. Other Implications

- 8.1. **Legal Implications:** N/A
- 8.2. **Human Rights implications:** N/A
- 8.3. **Equality Impact Assessment (EqIA):** N/A.

9. Actions required

- 9.1. **The Select Committee are asked to:**

1. Consider the draft Digital Norfolk Strategy and Roadmap and provide feedback on any changes the Committee wish to see incorporated.
2. Agree that the Strategy and Roadmap is ready to share with wider Public Sector service partners before returning to the committee for final approval.

Officer Contact

If you have any questions about matters contained in this paper, please get in touch with:

Officer name: Geoff Connell

Tel No.: 01603 973230

Email address: Geoff.connell@norfolk.gov.uk



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Report to Corporate Select Committee

Item No 9

Report title:	Human Resources and Finance Programme Update
Date of meeting:	25 January 2021
Responsible Cabinet Member	Cllr Tom Fitzpatrick Cabinet Member for Innovation, Transformation and Performance
Responsible Director:	Simon George, Executive Director, Finance and Commercial Services

Executive Summary/Introduction from Cabinet Member

This report provides an update to Corporate Select Committee on the progress and actions that have been taken in the HR & Finance Programme since the last update in November 2020. The programme is in the implementation phase, which will take us through to the system go-live in November 2021.

Over the last three months we have had the first sight of the system set up for Norfolk County Council. Over 60 workshops took place in which the core team and the subject experts from across NCC have reviewed the first version of the NCC configured system. A wide range of clarifying questions have come out of these workshops and the core programme team has been working to provide responses to Oracle with the aim of completing 80% of the systems configuration before we go into the next stage.

The core principle of 'adopt don't adapt' has been maintained through this process and it is our aim to use core functionality wherever possible with minimal customisation. The workshops have also enabled us to confirm the fit with our requirements and to clarify the changes that we will need to make to our processes, policies and practice which will feed into in our business change plans.

Since the last update to the committee we have engaged a Business Change partner, Socitm Advisory, a leader in ERP Business Change consulting to the public sector who have supported more than 30 authorities in their ERP transformation journeys over the past 5 years. Socitm will manage the business change workstream of the programme, the scope of this work covers organisation, people and external stakeholder change including process, data analytics and benefits delivery.

The focus of our programme over the coming months will be on:

- Ensuring the configuration and delivery of a viable system for go-live
- Developing processes, policies and practice to ensure business adoption
- Building and delivering a business change plan to take everyone impacted by the programme through the preparation, go-live and embedding of a successful solution
- Developing a phased benefits realisation plan to deliver the full business case

Actions Required

Select Committee is asked to consider the progress made to date, to offer any insight to support the implementation and to specify any further areas of assurance required.

1. Background and Purpose

- 1.1 The current Oracle system which Norfolk County Council uses to manage our core Human Resources (HR) and Finance processes is at its end-of-life. This has presented the council with the opportunity to transform service delivery and realise savings by reviewing our core and peripheral systems and processes.
- 1.2 In May 2019 Cabinet considered the business case developed to assess the options for replacing the County Council's core and peripheral Human Resources (HR) and Finance systems with a view to transforming service delivery and to realise savings.
- 1.3 By replacing the systems and transforming processes, it is estimated that from 2022/23 (post implementation) net 10-year savings of £20m could be realised, with further potential savings of up to an additional £11m over that 10-year period being enabled as part of wider business transformation programmes.
- 1.4 The strategic benefits of the programme are summarised below:



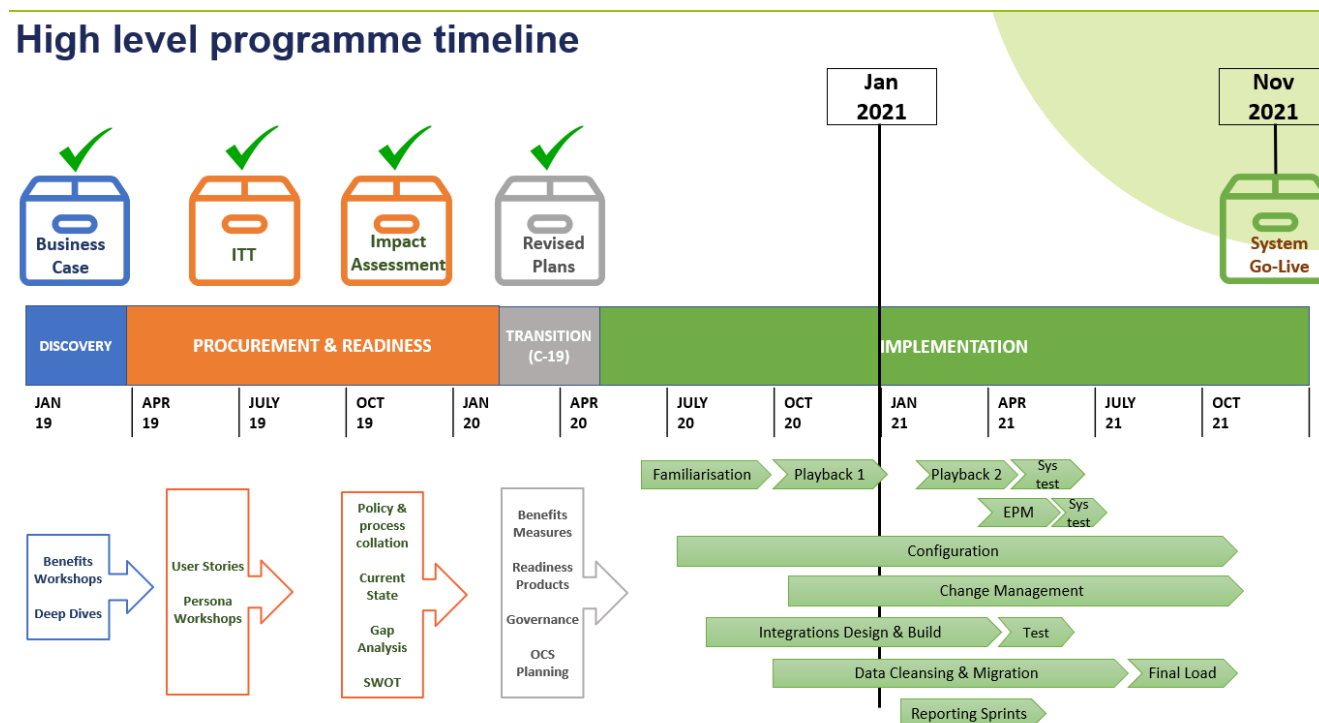
- 1.5 In February 2020 Cabinet approved that the decision to award the contract be delegated to the Executive Director of Strategy and Governance, as Programme Sponsor, in consultation with the Executive Director of Finance and Commercial Services, the Leader of the Council and the Cabinet Member for Innovation, Transformation and Performance. The contract for the system was awarded to Oracle to deliver a cloud-based solution and that for the Systems Implementer to Oracle Consulting Services (OCS).
- 1.6 Cabinet also asked the Corporate Select Committee to oversee the programme reporting any issues to Cabinet. Corporate Select Committee have received reports in May and November 2019 and February, July, September and November 2020. Additionally Member workshops were held in October 2019 and February 2020 to

engage Members in the scope of the programme, the technology available and the opportunities presented to transform service delivery and realise savings.

- 1.7 The system is due to go live in November 2021, this is the earliest date that it can technically be achieved, and it minimises the financial and business implications of a later go-live date. The scope of the functionality we are working with is detailed at Appendix A.
- 1.8 The purpose of this report is to advise Corporate Select Committee of the progress of the programme and to highlight any issues.

2. Summary of progress to date

2.1 Progress against plan currently is as follows:



2.2 The programme is making good progress and has just completed the 'Playback 1' sessions in which member of the programme team and subject experts from across NCC have had the first view of the configured system. Over the last 3 months over 60 'playback 1' workshops have taken place.

The purpose of the playback workshops is to:

- Agree configuration decisions to ensure that the system meets NCC's needs
- Identify issues and key decisions needed to gain the most from the system
- Identify changes which will need to be made to:
 - Policies
 - Processes
 - Practice

2.3 We are now completing the actions from the last workshops and preparing for 'playback 2' which will focus on the remaining 20% of the configuration. This will

consist of workshops spread over February and March and will address some of the more complex aspects of our processes, including the configuration of some areas of our traded services and some of the new HR practices that the programme will be bringing in.

- 2.4 In addition to the configuration work we have been establishing the foundations for the other workstreams, including working with OCS on the design of our systems integrations, developing a data cleansing and migration approach and signing off the Analytics strategy for the programme which aligns to the overarching corporate analytics strategy.
- 2.5 A key aspect of delivering the programme benefits will be the embedding of new ways of working through policies, processes and practice. A business change partner has been brought in to work with us into 2022 to deliver this business change and embed the changes being brought about by the programme.
- 2.6 The business change contract has been awarded to Socitm Advisory (Society for innovation, technology and modernisation). We were particularly impressed with their approach, seeing people at the centre of the change rather than simply seeing this as an IT system rollout, which we believe will be key to the success of the programme. NCC has also worked with Socitm in the past, they have a good knowledge of our organisation and we are very positive about the impact that they will bring to the programme.

3. Next Steps

- 3.1 The focus of our programme over the coming months will be on:
 - Ensuring the configuration and delivery of a viable system for go-live, which will deliver a smooth transition of the core functionality required for NCC to operate effectively
 - Developing processes, policies and practice to ensure that we embed new ways of working to realise the target benefits of the programme
 - Building and delivering a business change plan to take everyone impacted by the programme through the preparation, go-live and embedding of a successful implementation
 - Developing a phased benefits realisation plan to deliver the full business case
- 3.2 The high-level programme timeline highlights the core workstreams of activity, the playback sessions are pivotal in setting the scope for the other workstreams and the outputs from playback 1 are informing the business change scope and planning.
- 3.3 Playback 2 will focus on some of the more complex aspects of our processes and practice and will provide a number of key inputs into the change management workstream. This will mean that some work will have to take place concurrently and may require a phased approach to business change planning.
- 3.4 The work over the next few months will be very demanding for the core team and subject experts as their knowledge and expertise will be needed for the playback sessions, change management activities, integrations work and data migration. More detailed planning is underway to ensure that we make the best use of everyone's time, we are also recruiting to the remaining open roles within the programme team.
- 3.5 Socitm advisory will be working with the programme team and the wider organisation with a focus on organisation, people and external stakeholder change covering process and data analytics change and benefits delivery. The team from Socitm will

bring additional capacity and expertise to the programme and they will also be working closely with the core team on their key activities.

4. Financial Implications

The overall budget is currently on track, there are some pressures on project team costs as a consequence of needing to engage Agency workers to ensure that we have the necessary expertise in key roles, where direct recruitment has not proved possible.

5. Resource Implications

- 5.1 Staff: The availability of the programme team and subject experts from across the organisation has been impacted by C-19 response activity. Lost time is being made up, however this is largely thanks to the focus and commitment of the team, and the level workload experienced over the last few months is not sustainable. A more reasonable schedule has been planned for the playback 2 sessions and detailed planning is underway to define all resource requirements to take us to go-live.

A Head of HR and Finance Programme (equivalent to a Programme Director) has been in post since the end of November to ensure appropriate leadership of the Programme team during the critical implementation phase.

The Head of Technical Delivery, Andrew Moll, will be retiring in January 2021. Andrew has been with the programme from its inception and provided invaluable expertise in the discovery, procurement and readiness phases. Andy Hayes has been appointed to the post of Head of Technical Delivery and a detailed handover is underway.

The remaining open roles within the programme will be recruited to in January 2021 to bring us up to full capacity.

- 5.2 Property: N/A

- 5.3 IT: The relationship between the programme and the IMT is critical for the successful delivery of the programme. There continues to be a close link with the Head of IMT, Geoff Connell is a Programme Board member and was a key panel member in the recruitment of the new Head of Technical Delivery.

6. Other Implications

- 6.1 Legal Implications: Legal advice is being sought as and when it is required, for example to ensure data management and security provisions are robust.

- 6.2 Equality Impact Assessment (EqIA)

A high-level EqIA has been prepared. The detailed EqIA is being completed as we move through implementation.

- 6.3 Any Other Implications:

Officers have considered all the implications which Members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.

7. Risk Implications/Assessment

- 7.1 Corporate Select Committee required the project to be added to the Corporate Risk Register. This has been done (risk reference RM027 - Risk of failure of new Human Resources and Finance system implementation). Programme risks are scrutinised through the Programme governance structures. The corporate risk RM027 continues to be managed and closely monitored. The risk details are attached as Appendix B for information.
- 7.2 The current Covid-19 outbreak represents the highest risk to the programme. It is managed weekly and has been the subject of a detailed risk workshop involving both NCC and OCS. Two key aspects of this risk are the potential loss of resources and the impact that remote working is having on the day to day working of the NCC and OCS teams where traditionally individuals would have worked together in a shared location. In mitigation, commitment has been given that the resources allocated to the Programme will not be diverted to Covid activity during the implementation phase.
- 7.3 The impact of remote working is proving to be more significant than originally hoped and the natural knowledge transfer that would have taken place from OCS to NCC is not taking place. To support effective working of the joint team, we are continuing to explore alternative ways to achieve this and in the short-term OCS will be continuing to play a key role in playback 2 sessions to assist in the transition of ownership.

8. Actions Required

- 8.1 Select Committee is asked to consider the work completed to date and the next steps to offer any insight and indicate any areas of assurance required for the next meeting.

Background Papers

Cabinet Report – 20 May 2019
Corporate Select Committee report – 28 May 2019
Corporate Select Committee – 14 November 2019
Cabinet Report - 3 February 2020
Corporate Select Committee – 13 July 2020
Corporate Select Committee – 14 September 2020
Corporate Select Committee – 9 November 2020

Officer Contact

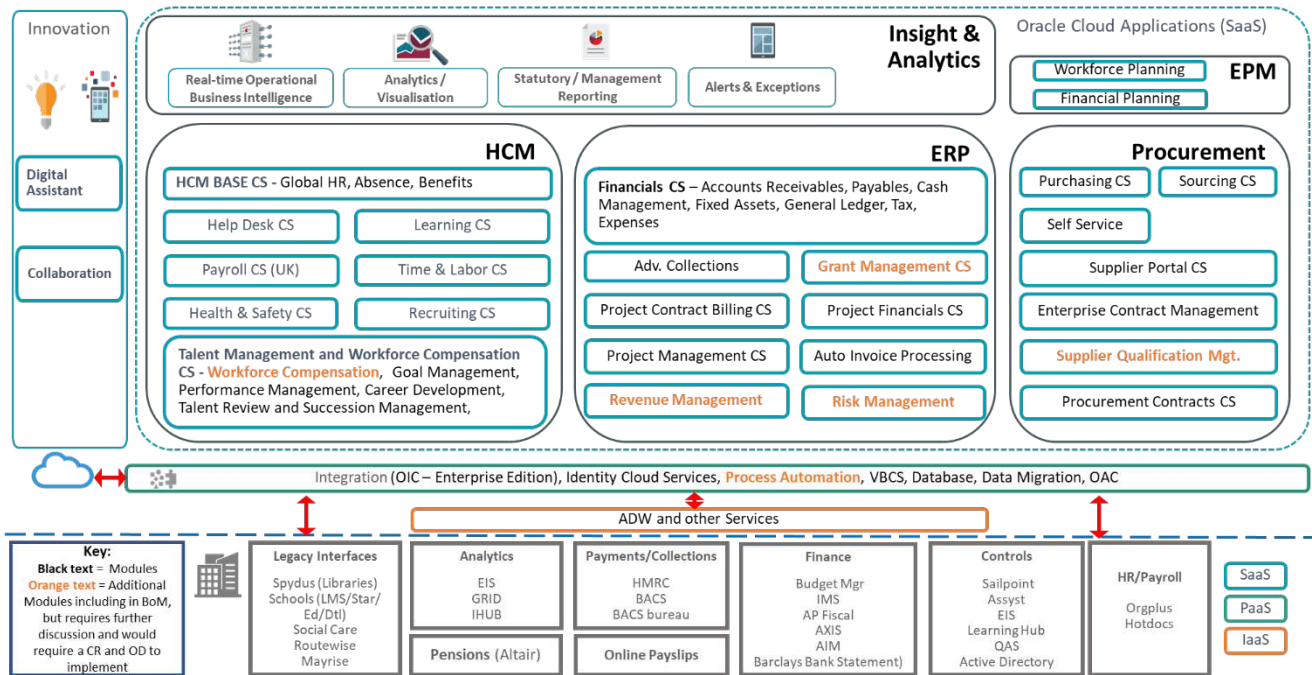
If you have any questions about matters contained in this paper, please get in touch with:

Officer Name Diana Dixon / Debbie Beck / John Baldwin

Tel No 01603 306184 / 01603 638150 / 01603 973946

Email address diana.dixon@norfolk.gov.uk / debbie.beck@norfolk.gov.uk / john.baldwin@norfolk.gov.uk /

Appendix A Functionality in Scope



Appendix B

Risk Number	RM027					Date of update		1st December 2020		
Risk Name	Risk of failure of new Human Resources and Finance system implementation									
Portfolio lead	Cllr. Tom FitzPatrick					Risk Owner		Diana Dixon		
Risk Description					Date entered on risk register		16th August 2019			
Risk that there is a significant impact to HR and finance services through potential lack of delivery of the new HR & finance system. Overall risk treatment: Treat										
Original			Current			Target				
Likelihood	Impact	Risk score	Likelihood	Impact	Risk score	Likelihood	Impact	Risk score	Target Date	Prospects of meeting Target Risk Score by Target Date
2	5	10	2	5	10	2	2	4	Sep-21	Green
Tasks to mitigate the risk										
1) Programme has moved from procurement phase to Implementation as planned 2) Rigorous monitoring of risk occurs at Programme level on a weekly basis with significant risks escalated to Programme Board for management. Particular attention is being paid to the risk to the project of being impacted by any Covid-19 resurgence that may affect NCC and / or Implementer teams causing a delay and associated cost. Mitigation of this includes agreement to protect the project team resources such that they remain aligned to the programme (at one stage 50% of team had been moved to C-19 response) 3) Programme management team from NCC and Systems Implementer jointly develop plan with formal sign off underpinned by contractual stage payments 4) Initial impact of Covid-19 mitigated by the addition of a new transition stage into the plan with delay to implementation held to 1 month 5) Programme governance revised to reflect move to Implementation 6) Corporate Select Committee continue to oversee the programme										
Progress update										
1) Cabinet via delegated approval to Exec Director S&G (in consultation with ED for FCS, the Leader and Cabinet Member for Innovation, Transformation and Performance) endorsed the award of the contract to Oracle Consulting Services implementing a cloud Oracle solution as planned. 2) On-going visibility of the plans via Programme Board, also the Corporate Select Committee continues to offer oversight. 3) Strong engagement from HR and Finance into the familiarisation stage of the programme which supports system design decisions 4) Eight benefit themes applied to the project from the outset underpin all design discussion / decision, programme board are responsible for delivering against these benefits. 5) Governance managed by project board and programme board for project plans and budget. 6) Strong management of the familiarisation process by both NCC and the Systems Implementer to ensure remote ways of working are not impacting the quality of the engagement or decision-making 7) Robust risk management in place, particularly in respect of C-19 and the potential impact this could have on timescales and costs 8) Business impacts being captured as familiarisation with the software solution develops 9) The procurement of a change partner with local authority expertise and experience in adopting our software solution has taken place to support business adoption of new ways of working that underpin realisation of savings 10) Resource levels are kept under review as the understanding of the future plan matures with pressures around resourcing being managed by Project Board										

Corporate Select Committee

Item No. 10

Report title:	Proposed Amendments to the Council Constitution
Date of meeting:	25 January 2021
Responsible Cabinet Member:	Cllr Andrew Proctor, Leader of the Council and Cabinet Member for Strategy & Governance
Responsible Director:	Helen Edwards, Director of Governance
<p>Executive Summary</p> <p>The Council adopted its Constitution in May 2019, when it changed from the Committee system to the Executive leadership model. It was always intended that the governance arrangements would be reviewed within the first year. The intention is that a fully revised Constitution will be in place in time for the AGM in 2021.</p> <p>This Committee reviewed Appendices 5, 15 and 16 at its meeting on 9 November 2020, and these were subsequently adopted by Full Council at its meeting on 23 November 2020.</p> <p>It was agreed that the remaining sections of the Constitution would be split across two Corporate Select Committee meetings, this one and the meeting on 15 March 2021. All recommendations will be made to the final Council meeting before the AGM.</p> <p>Actions required:</p> <ol style="list-style-type: none">1. To agree the amendments proposed for recommendation to Council at its final meeting before the 2021 AGM (date to be confirmed), as set out in para 1.3 below.2. To agree to recommend to Council that the Articles and Appendices set out in para 1.4 below be retained in their current format (No changes proposed).3. To agree that remaining appendices will be considered at the next meeting of this Committee.	

1. Background and Purpose

- 1.1. The Council adopted a revised Constitution in May 2019 when it reverted to the Executive leadership model of governance. It agreed to review governance arrangements within the first year.
- 1.2. At its meeting in July 2020 the Corporate Select Committee agreed a process through which the Constitution would be reviewed. At its meeting on 9 November 2020 the Committee agreed to recommend revised Appendices 5, 15 and 16 to Council, and Council agreed those revisions at its meeting on 23 November 2020.
- 1.3. The Constitution has been revised during a series of member workshops, consultation with officers, and consultation with group leaders.

It is proposed that this Committee considers and agrees the proposed changes to the Appendices listed below, the changes being shown in the attached revised draft Constitution:

Executive Summary

Article 5: Chairing the Council

Article 6 (renumbered 5): Overview & Scrutiny Bodies

Article 7 (renumbered 6): The Executive

Article 11 (renumbered 10): Officers

Article 15 (renumbered 14): Suspension & Publication of the Constitution

Appendix 3: Delegations to Members of the Executive

Appendix 4: Joint Arrangements

Appendix 14: Officer Employment Procedure Rules

Appendix 19: Gifts & Hospitality (deleted)

Appendix 21: (renumbered 20): Standards Committee Procedure for Hearings

Appendix 22: (renumbered 21): Protocol on Member/ Officer Relations

Appendix 24: (renumbered 23): Standards Committee Publicity Protocol (deleted)

Appendix 25: (renumbered 24): Members' Allowance scheme

Appendix 26: (renumbered 25): Details of members of the Executive (deleted)

Appendix 32: (moved & renumbered 25): Procedure for Appointments to Outside Bodies

Appendix 33: (moved & renumbered 26): Guidance for Members & Officers serving on outside bodies

Appendix 29: Register of Members' Interests (deleted)

- 1.4. It is proposed that this Committee considers and recommends to Council that the following Articles and Appendices should be retained in their current format (No changes proposed). They are set out in the attached draft for ease of reference:

Article 1 : The Constitution
 Article 2 : Members of the Council
 Article 3 : The Public & The Council
 Article 4 : The Full Council
 Article 8 (renumbered 7): Regulatory & Other Committees
 Article 9 (renumbered 8): The Standards Committee
 Article 10 (renumbered 9): Joint Arrangements
 Article 12 (renumbered 11): Decision Making
 Article 13 (renumbered 12): Finance, Contracts & Legal Matters
 Article 14 (renumbered 13): Review & Revision of the Constitution

Appendix 1: Summary of Executive Arrangements
 Appendix 2: Composition & Terms of Reference of Committees
 Appendix 2A: Statutory Scrutiny
 Appendix 6: Proper Officer Provisions
 Appendix 9: Cabinet Procedure Rules
 Appendix 11: Councillor Call for Action
 Appendix 18: Planning Procedures – Code of Best Practice
 Appendix 20 (renumbered 19): Members Protocol for Contracts & Purchasing
 Appendix 23 (renumbered 22): Protocols for dealing with the media
 Appendix 28 (renumbered 27): Public speaking at Committees
 Appendix 31 (renumbered 30): Protocol on use of media equipment at meetings held in public

- 1.5. It is recommended that the remaining Appendices (which are not included in the attached draft) be considered at the next meeting of this Committee. Some are being considered by the Standards Committee at its meeting on 18 January 2021, when it will consider the Final Model Code of Conduct issued by the LGA and consider whether to recommend that Council adopts it. That will have a potential impact on some of the other Appendices, which will all be brought to the meeting on 15 March 2021.

There will also need to be changes made to accommodate remote meetings, if, as anticipated, the current legislation is amended to allow remote meetings to take place after the current end date of 7 May 2021. This will be incorporated into the proposed amendments if legislation is introduced.

2. Proposals

If Corporate Select Committee agrees the proposals, it is proposed that:

- 2.1. The changes identified will be recommended to Council at its last meeting before the AGM 2021

- 2.2. Remaining changes will be brought to the Corporate select Committee on 15 March 2021 and if agreed will also be recommended to the same Council meeting.

3. Impact of the Proposal

- 3.1. The proposal will allow the Council to maintain an up to date Constitution that enables the Council to meet its objectives.

4. Financial Implications

- 4.1. None (aside from the cost of officer time)

5. Resource Implications

- 5.1. **Staff: None**

- 5.2. **Property: None**

- 5.3. **IT: None**

6. Other Implications

- 6.1. **Legal Implications:** the Council is obliged to have an up-to-date Constitution, and these proposals will allow it to continue to meet this obligation

- 6.2. **Human Rights implications:** None

- 6.3. **Equality Impact Assessment (EqIA) (this must be included):** None

- 6.4. **Any other implications:** None

7. Actions required

- 7.1. 1. As set out in the recommendations.

Officer Contact

If you have any questions about matters contained in this paper, please get in touch with:

Officer name:
Helen Edwards

Tel No.:
01603
493627

Email address: **Helen.edwards2@norfolk.gov.uk**



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CONSTITUTION

Index

Commented [EH1]: To be revised once all amendments agreed by Council

COUNTY COUNCIL CONSTITUTION - EXECUTIVE SUMMARY

1. Introduction

This Constitution reflects the Council's decision on 10 December 2018 to adopt a Leader and Cabinet form of Executive. It came into effect on 07 May 2019.

This Constitution sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by the law, while others are a matter for the Council to choose.

2. Overview

How the Council operates

The Council is composed of 84 Councillors elected every four years. Councillors are democratically accountable to residents of their electoral division. The overriding duty of Councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them.

Councillors have to agree to follow a code of conduct to ensure high standards in the way they undertake their duties. The Standards Committee advises them on the code of conduct.

All Councillors meet together as the Council. Meetings of the Council are normally open to the public. Here Councillors decide the Council's overall policies and set the budget each year.

How Decisions Are Made

The Executive is part of the Council which is responsible for most day-to-day decisions. The Executive is made up of a Leader and up to nine other Councillors whom the Leader appoints. Together they are known as the Cabinet. When major decisions are to be discussed or made, these are published in the Cabinet's forward plan in so far as they can be anticipated. If these major decisions are to be discussed with council officers at a meeting of the Cabinet, this will generally be open for the public to attend except where personal or confidential matters are being discussed. The Cabinet has to make decisions which are in line with the Council's overall budget and the policy framework. If it wishes to make a decision which is outside the budget or policy framework, this must be referred to the Council as a whole to decide.

Overview and Scrutiny

There is a Scrutiny Committee and three Select Committees which together constitute the Council's overview and scrutiny arrangements pursuant to section 21 of the Local Government Act 2000.

The Scrutiny Committee monitors the decisions made by the Cabinet, officers making executive decisions on delegated authority and other decisions. The Scrutiny Committee can 'call-in' a decision which has been made by the Cabinet but not yet implemented. This enables them to consider whether the decision is appropriate. They may recommend that the decision maker reconsiders the decision.

The Select Committees develop policies and advise the Council or Cabinet on forthcoming decisions. The Select Committees discharge this function through requiring reports to be produced for their consideration, commissioning further work as necessary and reporting to Cabinet and Council. The Select Committees may carry out elements of "scrutiny" in so far as it relates to developing policy, by considering what has worked well, or less well, in the past.

The Norfolk Health Overview and Scrutiny Committee includes both County and District Councillors and has powers to scrutinise National Health Service bodies in Norfolk. The role and powers exercised by the Norfolk Health and Overview Scrutiny Committee are detailed in Appendix 2A.

The Council's Staff

The Council employs officers to give advice, implement decisions and manage the day-to-day delivery of its services including making decisions delegated to them. Some officers have a specific duty to ensure that the Council acts within the law and uses its resources wisely. A protocol governs the relationship between officers and Members of the Council.

The Public's Rights

The public have a number of rights in their dealing with the Council. These are set out in more detail in Article 3. Some of these are legal rights, whilst others depend on the Council's own processes.

Members of the public have the right to:

- vote at local elections if they are registered;
- contact their local Councillor about any matters of concern to them;
- obtain a copy of the Constitution;
- attend meetings of the Council and its committees except where, for example,

- personal or confidential matters are being discussed;
- petition to request a referendum on different form of Executive;
- ask questions
- speak at meetings of the Planning (Regulatory) Committee
- find out, from the Cabinet's forward plan, what major decisions are to be discussed by the Cabinet or decided by the Cabinet or officers, and when;
- attend meetings of the Cabinet where key decisions are being discussed or decided;
- see reports and background papers, and any record of decisions made by the Council and Cabinet;
- complain to the Council about any dissatisfaction they have with an action or lack of action by the Council;
- complain to the Ombudsman if they think the Council has not followed its procedures properly. However, they should only do this after using the Council's own complaints process;
- complain if they have evidence which they think shows that a Councillor has not followed the Council's Code of Conduct; and
- inspect the Council's accounts and make their views known to the external auditor.

Where members of the public use specific council services, for example as a parent of a school pupil or as a council tenant, they have additional rights conferred on them by law.

ARTICLE 1 - THE CONSTITUTION

Commented [EH2]: No changes proposed

1.1 Powers of the Council

Norfolk County Council will exercise all its powers and duties in accordance with the law and this Constitution.

1.2 The Constitution

This Constitution, and all its appendices, is the Constitution of the Norfolk County Council.

1.3.1 Purpose of the Constitution

The Purpose of the Constitution is to:

- i. enable decisions to be taken efficiently and effectively;
- ii. create a powerful and effective means of holding decision makers to public account;
- iii. ensure that no one will review or scrutinise a decision in which they were directly involved;
- iv. ensure that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for decisions;
- v. support the active involvement of the public in the process of local authority decision-making;
- vi. provide a means of improving the delivery of services across Norfolk;
- vii. help Councillors represent their constituents effectively; and
- viii. enable the Council to provide clear leadership to the community in partnership with the people of Norfolk, District, Town and Parish Councils, businesses and other organisations.
- ix. to set out the respective responsibilities of members and officers of the Council and how they inter-relate.

1.4 Application and Review of the Constitution

Where the Constitution permits the Council to choose between different courses of action, the Council will aim to choose that option which it thinks is closest to the purposes stated above.

The Council will monitor and evaluate the operation of the Constitution as set out in Article 14.

ARTICLE 2 – MEMBERS OF THE COUNCIL

Commented [EH3]: No changes proposed

2.1 Composition and eligibility

Composition. The Council comprises 84 Members, otherwise called Councillors. One Councillor is elected by the voters of each electoral division in accordance with a scheme drawn up by the Local Government Commission and approved by the Secretary of State. One of the Councillors is elected annually to chair the Full Council meetings and attend to ceremonial duties.

Eligibility. Only registered voters of the county of Norfolk or those living or working there are eligible to hold the office of Councillor.

2.2 Election and terms of councillors

The regular election of Councillors is held on the first Thursday in May every four years, the next being in 2021. The terms of office of Councillors start on the fourth day after being elected and finish on the fourth day after the date of the next regular election.

2.3 Roles and functions of Councillors

The Council has drawn up profiles covering the generic role of a County Councillor and the roles of Councillors who are appointed to specified positions of responsibility. The profiles are set out in the Annex to this Article.

2.4 Rights and duties

- (a) Councillors have such rights of access to such documents, information, land and buildings of the Council as are necessary for the proper discharge of their functions and in accordance with the law.
- (b) Councillors will not make public information which is confidential or exempt without the consent of the Council or divulge information given in confidence to anyone other than a Councillor or officer entitled to know it.
- (c) For these purposes “confidential” and “exempt” information are defined in the Access to Information Procedure Rules in Appendix 13 of this Constitution.

2.5 Conduct

Councillors will at all times observe the Members’ Code of Conduct (Appendix 17) and the Protocol on Member/Officer Relations (Appendix 22). The consequences of not complying with the Code and the Protocol are set out in those documents.

2.6 Allowances

Councillors are entitled to receive allowances and reimbursement of expenses in accordance with the Members' Allowances Scheme set out in Appendix 24 of this Constitution.

Norfolk County Council – Role Profiles

NORFOLK COUNTY COUNCILLORS

Role and Function

- 1.1 To participate constructively in the good governance of the area and actively encourage community participation in decision making i.e. be an advocate of and for the community.
- 1.2 To collectively be the ultimate policy makers, carrying out a number of strategic and corporate management functions and individually to contribute to the formation and scrutiny of the authority's priorities, policies, budget, strategies and service delivery which are reserved to the Council.
- 1.3 To represent effectively the interests of the electoral division for which the Councillor was elected and of individual constituents.
- 1.4 To champion the improvement of the quality of life of the community in terms of the environment, economy, education, safety, equity and well-being.
- 1.5 To act as a champion on the Council for specific issues, when required.
- 1.6 To represent the Council effectively when appointed to outside bodies.

All within the knowledge that Norfolk wishes to build:

- Strong and positive relationships within different communities and between people from different backgrounds.
- Accessible and inclusive services, opportunities and information for all, regardless of age, disability, gender, religion or belief, race, sexuality or geographical location.
- A county where people feel safe and free from harassment and can report incidents in the knowledge that issues will be handled sensitively and effectively.
- A workforce and work environment where diversity is valued, where employees are treated fairly on the basis of merit, and where all employees have the opportunity to fully contribute towards the success of the Council.

Key Responsibilities

- 2.1 To represent the community to the authority, through the various forums available and by being effective community leaders.

- 2.2 To fulfil the legal and locally determined requirements placed on an elected Member, including the completion of statutory declarations in a timely manner and compliance with all relevant codes of conduct.
- 2.3 To participate effectively as a Member of any Committee or other body to which the Member is appointed, including related responsibilities for the services falling within its terms of reference and its liaison with other public bodies, and to promote better understanding and partnership working.
- 2.4 To participate in the activities of an outside body to which the Councillor is appointed, providing two-way communication between organisations; and to develop and maintain a working knowledge of the authority's policies and practices in relation to that body and of the community's needs and aspirations in respect of that body's role and function.
- 2.5 To participate, as appointed, in the scrutiny and development of the services and policies of the authority and their effectiveness in meeting the strategic objectives of the authority and the needs of its residents and to assist individuals or groups to participate in the work of these committees.
- 2.6 To participate in consultative processes with the community and other organisations.
- 2.7 To develop and maintain a working knowledge of the Council's functions and activities, democratic and management arrangements, powers/duties and constraints and to develop good working relationships with relevant Council officers.
- 2.8 To develop and maintain a working knowledge of the organisations, services, activities and other factors which impact upon the community's well-being and identity.
- 2.9 To establish effective working relationships with any local Parish or Town Council including attending meetings and explaining the work of the Council.
- 2.10 To establish effective working relationships with District Councillors in the Member's Division.
- 2.11 To establish effective working relationships, as deemed necessary, with other authorities, agencies and organisations whose activities affect the Member's local area including the business, voluntary and community sectors.
- 2.12 To contribute constructively to open government and democratic renewal through active encouragement to the community to participate generally in the governance of the area.
- 2.13 To participate in the activities of any political group of which the Councillor is a Member.
- 2.14 To uphold the Council's Constitution, Code of Conduct and ethical standards.
- 2.15 To take advantage of appropriate development opportunities that will help fulfil all the duties above and any special responsibilities allocated to the individual Member.

CHAIR OF THE COUNCIL

The Chair is elected annually by full Council.

Role and Responsibilities

1. To provide civic and ceremonial leadership to the Council and to promote the Council as being at the heart of the community and civic life within Norfolk.
2. To host and attend civic and ceremonial functions.
3. To provide feedback to the Council on matters raised by others while performing the duties of Chair.
4. To preside impartially over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of Councillors and the interests of the community, standing down from the Chair if they wish to participate in a debate as a local Member.
5. To ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which Members who are not on the executive are able to hold the executive to account.
6. In accordance with the Budget and Policy Framework Rules, and where the Chair of the Scrutiny Committee is unable to act, to decide whether or not a proposed decision which is contrary to the budget and policy framework needs to be taken as a matter of urgency.

VICE-CHAIR OF THE COUNCIL

The Vice-Chair is elected annually by full Council. It is normal practice for the Vice-Chair in one year to be elected as Chair in the following year.

Role and Responsibilities in support of the Chair

1. To provide civic and ceremonial leadership to the Council and to promote the Council as being at the heart of the community and civil life within Norfolk.
2. To host and attend civic and ceremonial functions.
3. To provide feedback to the Council on matters raised by others while performing the duties of Chair.
4. To preside impartially over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of Councillors and the interests of the community, standing down from the Chair if they wish to participate in a debate as a local Member.
5. To ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which Members who are not on the executive are able to hold the executive to account.

6. In accordance with the Budget and Policy Framework Rules, and where the Chair of the Scrutiny Committee is unable to act, to decide whether or not a proposed decision which is contrary to the budget and policy framework needs to be taken as a matter of urgency.

LEADER OF THE COUNCIL

Key Responsibilities

This role profile should be read in conjunction with the one for Cabinet Members. It identifies the role and responsibilities of the Leader that are additional to those for a Cabinet Member and Group Leader.

1. To provide clear political direction and leadership to the Council, setting standards and expectations and encouraging Members to play a full part in the running of the Council and being effective community leaders.
2. To provide leadership to the Norfolk community.
3. To lead the formulation of the County Council Business Plan and the Council's Service Objectives, providing a strong, fair and visible direction to the Council and in relation to citizens, stakeholders and partners.
4. To Chair the Cabinet and be responsible for its performance.
5. To appoint the Cabinet and Deputy Cabinet Members, designate the portfolio areas and maintain effective working relationships with the Cabinet Members.
6. To delegate executive decision-making to individual Members of the Cabinet, Cabinet Committees and officers.
7. To lead in the development of policy, strategy and budget.
8. To report Cabinet's activities to full council, including answering questions from Members in relation to business considered by Cabinet.
9. To represent the Council in its relationship with key stakeholders, local, regional and national.
10. To be the primary political spokesperson for the County Council.
11. To promote effective working relationships with the other Group Leaders, including being Chair of the Group Leaders' meeting.
12. To encourage a culture of learning and development among Members, including the active participation of group Members in briefings, seminars and other learning and development processes.
13. To provide political direction for the Council's officers and in particular to work closely with the Chief Officers, ensuring coordination of the Council's leadership and

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management.

14. To ensure publication of the County Council Business Plan.

DEPUTY LEADER OF THE COUNCIL

Role and Responsibilities

1. To provide the Leader of the Council with a dedicated source of assistance in representing the Council to its citizens, stakeholders and partners and in providing political leadership for the Cabinet, the Council and the County.
2. To assist the Leader in carrying out the responsibilities set out in the role profile of the Leader.
3. To take day-to-day decisions on behalf of the Leader during their absence as notified to the Monitoring Officer.
4. To work with the Leader on budget and policy development.
5. Where the individual is also a portfolio holder, the post holder will perform all those portfolio duties identified in that role profile.

CABINET MEMBER

Key Responsibilities

1. To collectively take executive responsibility, with particular regard to meetings of the Cabinet, for developing and proposing overall strategy, budgets and policy implementation.
2. Lead the development of policies for the delivery of services for their portfolio.
3. To develop expertise and knowledge in their portfolio area.
4. To take such decisions as specified within the Council's Scheme of Delegation.
5. To consult non-executive Members, through the Select Committees and as part of the development and review of policy and report views to the Cabinet, as appropriate.
6. To monitor the performance of services.
7. To be the Council's lead spokesperson for their portfolio.
8. To be a lead Member contact for staff and establish and maintain effective working relationships with the County Leadership Team and other key staff.
9. To establish contacts with other bodies and individuals to exchange views and information and to contribute to partnership working.

10. To attend the Scrutiny Committee and Select Committees, as requested, to discuss decisions taken and to assist the scrutiny and policy development process.
11. To respond to questions relating to their portfolio arising at Council, Cabinet and Committee meetings.

DEPUTY CABINET MEMBERS

Role and Responsibilities

1. To deputise for the relevant Cabinet Member at meetings of the Cabinet and full Council when the Cabinet Member cannot be present and to answer questions at those meetings on behalf of the Cabinet Member.
2. To support the Cabinet Member in undertaking their responsibilities effectively.
3. To attend and contribute at meetings and pre-agenda meetings, deputising, answering questions and speaking on behalf of the Cabinet Member where necessary.
4. To represent the relevant Cabinet Member at other appropriate meetings.
5. In the absence of the relevant Cabinet Member to be the Senior Member who a Chief Officer consults under the Constitution in appropriate cases before exercising delegated powers.
6. To undertake specific tasks, research and investigations as directed by the relevant Cabinet Member within their areas of responsibility.
7. To attend conferences, seminars and meetings as requested by the relevant Cabinet Member.
8. To keep abreast of current policy and development initiatives.
9. To meet regularly with the relevant Cabinet Member and advise them on policy development in relation to decision-making.
10. To meet regularly with relevant Senior Officers in order to keep fully apprised of relevant service issues and advise the Cabinet Member.
11. To attend regular policy and review meetings with the Cabinet Member and the relevant Chief Officer and Senior Officers.
12. To liaise with non-executive Members in order to ensure that the Cabinet Member is fully aware of issues which are of concern to Members.
13. To carry out any other appropriate duties as directed by the relevant Cabinet Member.

GROUP LEADER

The Council recognises the key leadership role played by the leaders of all groups on the Council and the importance of their commitment to cross-party working.

Role and Responsibilities

1. To provide the leadership of an opposition party.
2. To be the principal political spokesperson for the Group.
3. To be a representative voice in dealings with government agencies, local authority associations etc.
4. To encourage the highest standards of conduct by Members of the Group.
5. To nominate Members to serve on Committees, outside bodies etc.
6. To appoint group spokespersons and allocate other responsibilities to group Members as appropriate.
7. To assist in ensuring appropriate levels of attendance are maintained by Group Members.
8. To encourage a culture of learning and development among Members, including the active participation of Group Members in briefings, seminars and other learning and development processes.
9. To maintain effective liaison with the other Group Leaders, including being a Member of the Group Leaders' meeting.
10. To establish and maintain effective working relationships with the County Leadership Team and other key staff.
11. To meet regularly with relevant Senior Officers in order to keep fully apprised of relevant service issues.
12. To attend regular policy and review meetings with the relevant Director and Senior Officers.

CHAIR OF THE SCRUTINY COMMITTEE

The Chair elected to this post is a member who is not a Member of the Administration, elected by the Council

Role and Responsibilities

1. To Chair the Committee's meetings and lead the agenda management processes.
2. To help ensure the Committee's role and activities are understood both within and

outside the Council.

3. To act as the Council's lead spokesperson in respect of the Committee's activities.
4. To contribute to the implementation and monitoring of the Committee's decisions.
5. To present reports to full Council and respond to questions on the Committee's work.
6. To carry out the responsibilities of the Chair of the Scrutiny Committee as set out in the Council Constitution, with regard to urgent decisions.
7. To play a leading role in the continuing development and improvement of scrutiny at Norfolk County Council.
8. To encourage the involvement in overview and scrutiny of all interested parties and stakeholders.
9. To maintain effective working relationships with the Cabinet, Cabinet Members, group spokespersons on the Scrutiny Committee and Select Committees.
10. To maintain effective working relationships with the Chief Officers and other key officers.

CHAIR OF SELECT COMMITTEE

The Chairs of these Committees are elected by the Council

Role and Responsibilities

1. To Chair Select Committee meetings effectively, lead the agenda management process and actively participate in any cross-party pre-Committee meetings.
2. To help ensure the Select Committee's role and activities are understood by other Members of the Council.
3. To assist and advise on the development of new policy or reviewing current policy, making reports and/or recommendations to the full Council, the Cabinet and/or relevant partners.
4. To encourage Members to take responsibility for ensuring effective conduct of the Committee's business and the forward work programme.
5. To act as the Council's lead spokesperson in respect of the Committee's activities.
6. To give clear guidance and direction when summing up discussions at meetings of the Committee.
7. To establish effective working relationships with the Cabinet, Cabinet Members, Group Spokesmen on the Select Committee and other Select Committee Chair, including coordinating work programmes with other Chairs to ensure there is no duplication of

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effort.

8. To establish effective working relationships with the Chief Officers and other key officers.

CHAIR OF PLANNING (REGULATORY) COMMITTEE

The Chair of this Committee is elected by the Council

Role and Responsibilities

1. To chair the meeting in accordance with the Constitution and the Planning Procedures – Code of Best Practice.
2. To ensure that contributions by the public are made in accordance with the relevant provisions of the Constitution.
3. To guide the Committee to reach decisions based on the information presented to it.
4. To ensure that Members' contributions to meetings reflect the standards required under the Council's Planning Protocols.
5. To represent the Council in dealings with the public, media and other bodies in respect of the work of the Committee.
6. To establish effective working relationships with the relevant Chief Officer and other key officers in this service area.

VICE CHAIR OF COMMITTEES

Vice Chairs are elected by Council.

Role and Responsibilities in support of the Chairs of the relevant Committees

1. To perform the role and responsibilities of Chair of the relevant Committee where the Chair of the relevant Committee is absent. In the absence of the Chair and Vice Chair, the Members of the Committee will elect a Member amongst them to act as Chair for the purpose of that meeting.
2. To undertake such roles and responsibilities as may be delegated to them by the Chair of the relevant Committee which are within scope of the role and responsibilities of the Chair of the relevant Committee.

OPPOSITION GROUP SPOKESPERSONS

These posts are held by Members of each of the political groups on the Council.

The overall role is to provide an effective political counter-balance to the role of the Cabinet

Member.

Role and Responsibilities

In respect of activities within the portfolio:-

1. To develop expertise and knowledge.
2. To provide political focus and leadership within the Group.
3. To lead the development of approaches to policy and operational issues, on behalf of the Group.
4. To support the democratic process by ensuring that the activities of the Administration are examined and where necessary challenged.
5. To be the Group's lead spokesperson and first political point of contact within the Group.
6. To keep Members of the Group apprised of all relevant information.
7. To establish and maintain effective working relationships with Chief Officers and other key officers.
8. To establish effective working relationships with other Group spokespersons.
9. To establish appropriate contacts with other bodies and individuals to exchange views and learning.
10. To meet regularly with relevant Senior Officers in order to keep fully apprised of relevant service issues and to advise the Group Leader.

MEMBER CHAMPION

The role of a Member Champion is to provide a Member focus and point of contact for a specific area of activity.

The focus of these appointments can be internal – giving a high-level Member focus to an area of activity or external – in response to organisations that want to raise awareness/ establish points of contact with local authorities.

Champions encourage people to play a fuller role in the subject area.

1. To work with officers and others in raising the profile of the area of activity.
2. To work collaboratively with the relevant Cabinet Member and Select Committee.
3. To work with other Member Champions, as appropriate.

4. To attend relevant training, learning and development opportunities.
5. To keep appraised of developments and issues.
6. To promote good practice.
7. To keep a watching brief on the Council's levels of performance.
8. To keep Members informed of relevant issues and raise awareness.

ARTICLE 3 – THE PUBLIC AND THE COUNCIL

Commented [EH4]: No changes proposed

3.1 Public rights

Members of the public have the following rights:

- i. Voting and petitions. People on the electoral roll for Norfolk have the right to vote and sign a petition to request a referendum on a different form of governance.
- ii. Information. Representatives of the media and Members of the public have the right to:
 - a) attend meetings of the Council, the Cabinet and Council committees, except where confidential or exempt information is likely to be disclosed and the meeting is held in private;
 - b) find out what key decisions will be taken by the Leader and Cabinet and when;
 - c) see agendas for meetings, reports by officers, background papers and records of decisions;
 - d) inspect the Council's accounts and make representations to the external auditor.

Public rights to information are explained in more detail in the Access to Information Procedure Rules, set out in Appendix 13.

- iii. Participation. The rights of the public to ask questions and speak at meetings are explained in more detail in the Cabinet and Committee Procedure Rules in Appendices 8 and 9 and the procedures for Public Speaking at Committees in Appendix 28
- iv. Complaints. Members of the public have the right to complain to:
 - a) the Council under its complaints scheme
 - b) the Local Government Ombudsman after using the Council's own complaints scheme
 - c) the Monitoring Officer about a breach of the Members' Code of Conduct.

3.2 Responsibilities of the Public

Members of the public must not be violent, abusive or threatening to Councillors or officers and must not willfully harm property owned by the Council, Councillors or officers. Anyone causing a disturbance in a meeting will be removed from that meeting. They should also comply with the law and the Council's procedures, in dealing with the Council.

ARTICLE 4 – THE FULL COUNCIL

Commented [EH5]: No changes proposed

4.1 Meanings

- i. **Policy Framework.** This means:
 - a) County Council Business Plan
 - b) New Anglia Strategic Economic Plan
 - c) Annual investment and treasury management strategy
 - d) Joint Health and wellbeing strategy
 - e) Children and young people's strategy
 - f) Adoption statement of purpose
 - g) Fostering statement of purpose
 - h) Adult social care strategy (currently promoting independence)
 - i) Local Transport Plan
 - j) Norfolk County Council Waste strategy and policies
 - k) Minerals and Waste development framework
 - l) Fire and Rescue Integrated Risk Management Plan
 - m) Youth Justice Plan
 - n) Public Health Annual Report
 - o) Asset Management Plan

The Policy Framework to be reviewed annually by the Corporate Select Committee to ensure the list of items remains appropriate.

- ii. **The Budget:**

The Budget includes the allocation of financial resources to different services and projects, proposed contingency funds, the council tax base, setting the council tax and decisions relating to the control of the Council's borrowing requirement, the control of its capital expenditure and the setting of virement limits.

4.2 Functions of the full Council

The full Council will exercise the following functions:

- i. adopt and change the Constitution (except that minor changes and corrections may be made by the Monitoring Officer in accordance with any powers delegated to them);
- ii. approve the annual Council Budget;
- iii. set the limits for virement or other Budget changes by the Leader, the Cabinet, Cabinet Members, Committees or officers.
- iv. set the limits defining key financial decisions.

- v. approve the Policy Framework and the strategies and policies that sit within it;
- vi. determine any decision referred to it by the Scrutiny Committee which is contrary or not wholly in accordance with the Council's Budget or Policy Framework,
- vii. appoint and remove the Leader of the Council;
- viii. approve the Terms of Reference for Committees, deciding on their composition, and making appointments to them;
- ix. appoint the Chair and Vice Chair of Committees;
- x. appoint representatives to outside bodies, unless the appointment is an executive function or has been delegated by the Council;
- xi. adopt a Members' Allowances Scheme and Code of Conduct;
- xii. confirm the appointment of the Head of Paid Service;
- xiii. confirm the appointment of the Returning Officer;
- xiv. make, amend, revoke, re-enact, or adopt byelaws, and promoting or opposing the making of local legislation or personal Bills;
- xv. all other matters which, by law, must be reserved to Council.

4.3 Council meetings

There are three types of Council meeting:

- i. the annual meeting
- ii. ordinary meetings
- iii. extraordinary meetings

and they will be called and conducted in accordance with the Council Procedure Rules set out in Appendix 8.

4.4 Responsibility for functions

The Council discharges other functions through committees and officers. Appendices 2, 2A and 5 set out the committees and officers who discharge those functions. Those Appendices set out all the functions of the Council that are not the responsibility of the Leader and Cabinet.

Deleted: ARTICLE 5 - CHAIRING THE COUNCIL

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Role and function of the Chair¶

¶

The Chair and Vice-Chair will be elected by the Council annually.¶

¶

The Chair of Council and in their absence, the Vice-Chair will have the following roles and functions:¶

¶

To provide civic and ceremonial leadership to the Council and to promote the Council as being at the heart of the community and civic life within Norfolk.¶

¶

To host and attend civic and ceremonial functions.¶

¶

To provide feedback to the Council on matters raised by others while performing the duties of Chair.¶

¶

To preside impartially over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of Councillors and the interests of the community, standing down from the Chair if they wish to participate in a debate as a local Member.¶

¶

To ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which Members who are not on the executive are able to hold the executive to account.¶

¶

In accordance with the Budget and Policy Framework Rules, and where the Chair of the Scrutiny Committee is unable to act, to decide whether or not a proposed decision which is contrary to the budget and policy framework needs to be taken as a matter of urgency.¶

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ARTICLE 5 – OVERVIEW AND SCRUTINY BODIES

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5.1 General

The Council has agreed that Overview and Scrutiny should be exercised through the Scrutiny Committee and three Select Committees. The statutory scrutiny arrangements are set out in Appendix 2 and 2A.

5.2 Scrutiny Committee

- (i) The Council appoints the Scrutiny Committee from among the non-executive Members of the Council to review or scrutinise decisions made or other action taken in accordance with:
 - a) any functions which are the responsibility of the Executive, including decisions made/actions taken directly by the Executive itself and those decisions/actions delegated to Chief Officers and individual Members of the Executive; and
 - b) any functions which are not the responsibility of the Executive.
- (ii) The Scrutiny Committee may make reports or recommendations to either the Cabinet or to the County Council with respect to:
 - a) the discharge of any functions which are the responsibility of the Executive;
 - b) the discharge of any functions which are not the responsibility of the Executive; or
 - c) matters which affect Norfolk or its inhabitants.
- (iii) The Scrutiny Committee:
 - a) exercises overall responsibility for the resources made available to it by the Council;
 - b) conducts its proceedings in accordance with the additional Overview and Scrutiny Procedure Rules set out in Appendix 10.
- (i) 5.3 Membership of the Scrutiny Committee. The Committee comprises 13 Members of the Council who are not Members of the Executive, 2 Parent Governor representatives and 1 representative of each of the Church of England and Roman Catholic Diocesan Boards. The Council Members will be appointed to reflect the political balance requirements.
- (ii) The Committee will be chaired by the Chair of the Committee who will be appointed by the Council and who will normally be the Leader of the main Opposition Group on the Council.
- (iii) The Parent Governor and Church representatives are entitled to speak on all matters considered by the Scrutiny Committee but vote only on matters relating to education.
- (iv) The quorum for meetings of the Scrutiny Committee is 7.

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5.4 Powers of the Scrutiny Committee

- (i) In carrying out its powers of review and scrutiny the Scrutiny Committee will take into account the desirability of co-ordination and avoiding duplication with the work of the County Council's Select Committees.
- (ii) The Scrutiny Committee has the power to 'call-in' for scrutiny all decisions made by the Cabinet but not implemented and recommend that they are reconsidered or be reviewed or scrutinised by the full Council.
- (iii) The Scrutiny Committee should only use the power to refer matters to the full Council:
 - a) if the Committee considers that the decision is contrary to the policy framework; or
 - b) if the Committee considers that the decision is contrary to or not wholly in accordance with the budget.

Any called-in matters that are considered by full Council under this arrangement will be dealt with in accordance with the full Council procedure rules rather than the scrutiny procedure rules. This means that all Members of the Council may participate, the debate will be chaired by the Chair of the County Council, and there will be no opportunity to question officers.

- (iv) The Scrutiny Committee also has the power to 'call-in' for scrutiny any decisions (as defined in Article 13) which are the responsibility of the Executive but taken by an individual Cabinet Member or officer on the Executive's behalf. The Committee may recommend that the decisions are reconsidered by the person or body which made the decision.
- (v) The call-in power is to be taken in accordance with the County Council's system for the call-in of decisions, as follows:
 - a) any Member of the Council, with the support of three other Members must give notice within five working days of a meeting of the Cabinet or, if the decision is taken by an individual Member or Chief Officer, within five working days of the decision being published under the Access to Information Procedure Rules in Appendix 13;
 - b) where education matters are involved, the Parent Governor and Church representatives together count as one Member;
 - c) a Member who has called in a decision may participate in the debate of that call-in by the Scrutiny Committee, irrespective of whether they are a Member of the Scrutiny Committee;
 - d) The call-in procedure will not apply to urgent decisions. In this respect:
 - in deciding the urgency of key decisions, the procedure in Paragraphs 1.8 and 1.9 of the Access to Information Procedure Rules will apply;
 - in deciding the urgency of decisions which are contrary to the Budget and Policy Framework, the procedure in Paragraph 1.9 of the Budget and their Policy Framework Rules will apply;
 - in all other cases the final decision as to whether a decision is urgent will rest with the Head of Paid Service or in their absence the Monitoring Officer. For this purpose, an urgent decision is one which

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cannot reasonably wait until the full call-in process would otherwise have been completed.

(vi) In order to enable it to exercise its powers, the Scrutiny Committee may:

- a) require the Leader, Cabinet Members and officers to attend before it and answer questions; and such Members and officers will attend unless reasonably prevented from doing so;
- b) invite any other person to attend its meetings and answer questions but may not require them to do so; *
- c) question and gather evidence from any person with their consent;
- d) commission reports from officers;

(vii) The Scrutiny Committee is the Council's designated Crime and Disorder Committee for the purposes of section 19 of the Police and Justice Act 2006.

*N.B. Reasonable travel expenses are payable on request to members of the public and to members of voluntary organisations who are invited to attend meetings

5.5 Children's Services Scrutiny Sub-Committee

5.5.1 The Scrutiny Committee has established a Sub-Committee consisting of five non-Executive Members specifically to scrutinize the performance of Children's Services.

5.6 Select Committees

5.6.1 The Council has appointed three Select Committees from among the non- executive Members so that their areas of responsibility cover all the main services of the Council.
These Select Committees are:

- 5.6.1.1 People and Communities Committee
- 5.6.1.2 Infrastructure and Development Committee
- 5.6.1.3 Corporate Committee

5.6.2 The Select Committees may within their areas of responsibility consider proposed decisions to be made or other action taken in connection with:

- 5.6.2.1 any functions which are the responsibility of the Executive; and
- 5.6.2.2 any functions which are not the responsibility of the Executive.

5.6.3 The Select Committees may within their areas of responsibility make reports or recommendations to either the Leader, the Cabinet, the relevant Cabinet Member or the County Council with respect to:

- 5.6.3.1 the discharge of any functions which are the responsibility of the Executive;
- 5.6.3.2 the discharge of any functions which are not the responsibility of the Executive; or
- 5.6.3.3 matters which affect Norfolk and its inhabitants.

5.6.4 Each Select Committee also has the following roles within its area of responsibility:

- 5.6.4.1 assist and advise the Council Leader and the Cabinet in the development of the policy framework

5.6.4.2 review the performance of the Executive in relation to its policy objectives and performance targets

5.6.5 Select Committees must be mindful as to avoid duplication with the work undertaken by the Scrutiny Committee.

5.6.6 Select Committees do not have the power to 'call-in' decisions made but not implemented.

5.6.7 Select Committees will conduct their proceedings in accordance with the Appendix 10.

5.6.8 Any reports and recommendations made by Select Committees will include any dissenting views

5.7 Membership and Areas of Responsibility of Select Committees

5.7.1 The Select Committees have the following membership and areas of responsibility:

People and Communities Select Committee

13 members

Remit: The People and Communities Select Committee is aligned to people orientated services which are based on individual need. These services are predominantly for children and adults but also include other services that contribute to our residents' well-being.

The Committee supports the Cabinet and Council in its work with adults and older people with disabilities; services for young people who are vulnerable and improving educational attainment together with services to improve the wellbeing of our residents such as Arts and Culture, Public Health and Adult Education.

Infrastructure and Development Select Committee

13 members

Remit - The Infrastructure and Development Select Committee is aligned to the physical, geographical and economic services we provide to our residents. These services relate to the entire community both at whole County level and at neighbourhood level and take a strategic approach to prevent the fragmentation of service provision that leads to gaps or duplication of effort.

The Committee supports the Cabinet and Council in its work on transport, environmental services and growing the economy to enable our residents to live in resilient, prosperous, safe and sustainable communities with the facilities and infrastructure they need.

(3) Corporate Select Committee

13 members

Remit: The Corporate Select Committee is aligned to the overall governance, resources and assets of the Council.

The Committee supports the Cabinet and Council in ensuring good governance and that the resources and assets are used as efficiently and effectively as possible and that as a result the Council minimises risk, is resilient, takes advantage of opportunities arising from new technology and communicates effectively with its residents and stakeholders.

The Corporate Select Committee shall also review the content and operation of the Constitution at least annually and at the request of the Council or the Director of Governance, to ensure it remains fit for purpose as set out in Article 1 of this Constitution.

5.8 Powers of Select Committees

5.8.1 To enable them to exercise their powers each Select Committee may within their areas of responsibility:

5.8.1.1 review matters which are not the responsibility of the Council, but which affect the social, environmental and economic well-being of the inhabitants of Norfolk;

5.8.1.2 require the appropriate Cabinet Members and officers to attend before it and answer questions; and such Members and officers will attend unless reasonably prevented from doing so;

5.8.1.3 question and gather evidence from any person with their consent;

5.8.1.4 commission reports from officers;

5.8.1.5. the Select Committees may carry out elements of "scrutiny" in so far as it relates to developing policy, by considering what has worked well, or less well, in the past.

5.9 General

5.9.1 Cabinet Members may attend and speak at meetings of the Select Committees. Cabinet Members attend to provide input into discussions on policy development and respond to questions raised during Select Committee meetings.

5.9.2 The quorum for meetings of Select Committees is 7.

ARTICLE 6 - THE EXECUTIVE

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This Part of the Constitution records the arrangements made by the Leader for the allocation of responsibilities and the discharge of executive functions by them, Cabinet Members and officers. Wherever arrangements are not specifically made for the discharge of executive functions by Cabinet Members or officers, those functions remain with the Leader. The Leader may make new arrangements for the discharge of executive functions by Cabinet Members or officers at any time on either a temporary or permanent basis

6.1 Role

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The Executive will carry out all the Council's functions which are not the responsibility of any other part of the Council, whether by law or under this Constitution.

6.2 Form and composition

The Executive will consist of the Leader together with at least 2, but not more than 9, Councillors appointed to the Executive by the Leader.

6.3 Leader

- i. The Leader will be a Councillor elected to the position of Leader by the Council. The Leader holds office until the next election of all Members of the Council unless they: -
 - a) resign from the office; or
 - b) are no longer a Councillor; or
 - c) are removed from office by resolution of the Council following a recommendation to that effect by the Standards Committee or following a change in political control of the Council; or
 - d) are removed from office by resolution of the Council following their removal from the position of Leader of their Group.
- ii. In the period between a Council election and the date when a new Leader is elected, decisions which are the responsibility of the Leader and Cabinet or individual Members of the Cabinet will be taken by the Head of Paid Service in consultation with: -
 - a) the Leader of the Group with an overall majority of seats; or
 - b) in the event of there being no Group with an overall majority of seats, with all Group Leaders.

6.4 Deputy Leader

- iii. The Leader will appoint one of the Members of the Cabinet as their Deputy. The Deputy Leader may take day to day decisions on behalf of the Leader during their absence as notified to the Monitoring Officer (or if the absence is unforeseen, as confirmed by the Head of Paid Service). The Deputy Leader may not vary the arrangements made by the

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Leader under Articles 7.4 to 7.8 inclusive, or alter any arrangements made by the Leader under this Constitution for the exercise of executive functions, except for: -

- a) changes consequent upon the dismissal of a Leader during the period until a new Leader is elected; or
- b) where, in the opinion of the Head of Paid Service, the Leader is incapacitated for such a period of time that the efficient operation of the Council would be significantly impaired.

6.5 Other executive Members

- iv. Other executive Members must be elected Members of the Council appointed to the Cabinet by the Leader. They hold office for a period determined by the Leader, which must terminate no later than the next election of all Members of the Council, unless: -
 - a) they resign from office; or
 - b) they are no longer Councillors; or
 - c) they are removed from office by the Leader who must give written notice of any removal to the Member concerned and the Head of Paid Service. The removal will take effect upon receipt of the notice by the Head of Paid Service; or
 - d) the Council removes them from office by resolution following a recommendation to that effect by the Standards Committee.

6.6 Proceedings of the Cabinet

Proceedings of the Cabinet will take place in accordance with the Cabinet Procedure Rules set out in Appendix 9.

6.7 Responsibility for functions

The exercise of functions which are the responsibility of the Executive will be determined by the Leader. In this respect, the Leader may arrange for functions to be exercised by individual Members of the executive (including the Leader) and officers or joint committees.

The Leader will maintain lists as set out in **Appendices 3, 4 and 5** setting out which individual Members of the executive, officers or joint arrangements are responsible for the exercise of particular executive functions.

The Leader will also designate the general areas of responsibility of the individual Members of the Cabinet and list these responsibilities in Appendix 3.

6.8 Deputy Cabinet Members

The Leader may appoint non-executive Members as Deputy Cabinet Members to advise and assist Cabinet Members and who may deputise for the relevant Cabinet Member in their

absence in accordance with the Cabinet Procedure Rules as set out in Appendix 9. Such Members may not discharge any function given to the Cabinet Member and are not members of the Executive.

6.9 Terms of Reference of the Cabinet

- v. The Leader has arranged for the Cabinet to exercise the following functions which are the responsibility of the Executive;
 - a) to exercise all the executive functions of the Council except to the extent that they are reserved to the full Council, exercisable by other Committees or exercisable by individual members of the Executive or Chief or other officers under delegated powers.
 - b) to prepare, for adoption by the Council, the budget and the plans which fall within the policy framework.
 - c) to make recommendations to the Council on matters reserved to the Council.
 - d) to exercise the following “local choice” function:
 - placing staff at the disposal of other authorities where the placement is in connection with functions exercised by the Executive
 - e) to establish appropriate arrangements for the delivery of cross- cutting/cross-departmental functions.
 - f) to receive reports and recommendations from the Scrutiny Committee and Select Committees.
- vi. The Leader will not arrange for the powers set out in paragraph 7.9 (i) above to be exercised otherwise than by the Cabinet without first consulting the Cabinet, except:
 - a) in the case of urgency; or
 - b) in the case of the initial delegations set out in **Appendices 3, 4 and 5** contained within the Constitution approved by the County Council at its meeting on 7 May 2019.
- vii. In the case of urgency, the Leader may exercise the powers set out in paragraph (i) above subject to compliance with the Call-In Procedure, the Budget and Policy Framework Procedure Rules and the Access to Information Procedure Rules.
- viii. In the case of urgency, the Head of Paid Service may, in the absence of the Leader and Deputy Leader, exercise the powers set out in paragraph 7.9(i). above, subject: -
 - a) to having first consulted the relevant Cabinet Member or, in their absence, the relevant Deputy Cabinet Member, and
 - b) to compliance with the Call-In Procedures, the Budget and Policy Framework Procedure Rules and the Access to Information Procedure Rules.

6.10 Details of Cabinet Members

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Deleted: Details of the Cabinet Members are set out in Appendix 26.¶

<u>Cabinet member</u>	<u>Portfolio</u>	<u>Contact Details</u>
<u>Andrew Proctor</u> <u>Leader</u> <u>Governance and Strategy</u>	<u>Democratic Services</u> <u>HR</u> <u>Communications</u> <u>Governance</u> <u>Intelligence and Analytics</u> <u>Strategy</u> <u>Business continuity</u> <u>Information Governance</u> <u>Business - Support/Systems & Projects</u> <u>nplaw</u>	Andrew.proctor.cllr@norfolk.gov.uk
<u>Graham Plant</u> <u>Deputy Leader</u> <u>Growing the Economy</u>	<u>Promoting economic growth and enterprise</u> <u>Removing barriers to growth</u> <u>Inward investment</u> <u>Supporting the Council's role on the Local Enterprise Partnership (NALEP)</u> <u>Unemployment issues</u> <u>Oversight of Norfolk Infrastructure Fund and Norfolk Development Company</u> <u>Promoting the rural economy</u>	Graham.plant.cllr@norfolk.gov.uk
<u>Bill Borrett</u> <u>Adult Social Care, Public Health and Prevention</u>	<u>Adult social care</u> <u>Support for carers</u> <u>Protection for vulnerable adults</u> <u>Supporting people</u> <u>Public Health, including Drug and Alcohol Commissioning, Health and equalities strategies</u>	Bill.borrett.cllr@norfolk.gov.uk

<u>Margaret Dewsbury</u> <u>Communities and Partnerships</u>	<u>Library and Information Service</u> <u>Trading Standards</u> <u>Fire and Rescue</u> <u>Emergency planning and community resilience</u> <u>Customer Service operations</u> <u>County archives/Norfolk Record Office</u> <u>Museums Service</u> <u>Arts Service</u> <u>Adult Education</u> <u>Active Norfolk</u> <u>Armed Forces Covenant</u> <u>Equality & Diversity</u>	<u>Margaret.dewsbury.cllr@norfolk.gov.uk</u>
<u>John Fisher</u> <u>Children's Services</u>	<u>Early years and child care</u> <u>School improvement</u> <u>Additional educational needs</u> <u>Child protection</u> <u>Children and young people in care</u> <u>Fostering and adoption</u> <u>Youth offending</u>	<u>John.fisher.cllr@norfolk.gov.uk</u>
<u>Tom FitzPatrick</u> <u>Innovation, Transformation and Performance</u>	<u>Better Broadband for Norfolk</u> <u>Digital experience (website)</u> <u>Customer systems and experience</u> <u>Performance reporting</u> <u>Digital Norfolk</u>	<u>Tom.fitzpatrick.cllr@norfolk.gov.uk</u>
<u>Andy Grant</u> <u>Environment and Waste</u>	<u>Climate Change</u> <u>Waste Management and Recycling</u> <u>Flood and Water Management</u> <u>Ecology and Arboriculture</u> <u>Countryside Access</u>	<u>Andy.grant.cllr@norfolk.gov.uk</u>

	Archaeology, Heritage and Landscape Climate Change, mitigation and adaptation	
Andrew Jamieson Finance	Budget Planning Audit Medium term Financial Strategy	Andrew.jamieson.cllr@norfolk.gov.uk
Greg Peck Commercial Services and Asset Management	Property and asset management County Farms Scottow Enterprise Park NORSE Hethel Innovation Ltd Gypsy and Roma Travellers Service	Greg.peck.cllr@norfolk.gov.uk
Martin Wilby Highways and Infrastructure	Planning and Development Strategy and Management. Transport Strategy/Highways Network/Passenger Transport Flood and Water Management	Martin.wilby.cllr@norfolk.gov.uk

ARTICLE 7 - REGULATORY AND OTHER COMMITTEES

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7.1 Regulatory and other committees

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The Council appoints committees to discharge functions which are not the responsibility of the Executive as set out in Appendix 2 and 2A of this Constitution.

The Member representation on these Committees and panels is politically balanced in accordance with the requirements of the Local Government and Housing Act 1989.

ARTICLE 8 - THE STANDARDS COMMITTEE

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8.1 Standards Committee

The Council has established a Standards Committee to support the proper conduct of the Council's business by Members.

ARTICLE 9 - JOINT ARRANGEMENTS

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9.1 Arrangements to promote well being

The Council, in order to promote the economic, social or environmental well-being of its area, may:

- (a) enter into arrangements or agreements with any person or body;
- (b) co-operate with, or facilitate or co-ordinate the activities of any person or body;
- (c) exercise on behalf of that person or body any functions of that person or body

9.2 Joint Arrangements

The County Council has made joint arrangements with one or more other local authorities under Section 101(5) of the Local Government Act 1972 for the exercise of certain of its functions. These arrangements are described in Appendix 4.

9.3 Joint Committees

The County Council also appoints with those other authorities Joint Committees to exercise these functions. The membership, terms of reference and functions of these Joint Committees and the rules governing the conduct and proceedings of their meetings are also described in Appendix 4.

9.4 Delegation to and from other local authorities

- (a) The Council may delegate functions to another local authority or, in certain circumstances, the executive of another local authority.
- (b) The decision whether or not to accept such a delegation from another Local authority shall be reserved to the full Council.

9.5 Joint arrangements with other public bodies

Under Section 75 National Health Service Act 2006, Section 10 of the Children Act 2004 and the Health and Social Care Act 2012, local authorities, national health bodies and a number of other bodies have powers to delegate the exercise of some of their functions to each other and to co-operate in the exercise of their functions.

ARTICLE 10 - OFFICERS

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10.1 Management Structure

- (a) **General.** The Council engages such officers as it considers necessary to carry out its functions including the following Statutory Officers: -

Head of Paid Service (Functions currently undertaken by Executive Director of Community and Environmental Services)
Chief Finance Officer (Functions undertaken by Executive Director, Finance and Commercial Services)
Monitoring Officer (Functions undertaken by Director of Governance)
Director of Children's Services (Functions undertaken by Executive Director of Children's Services)
Director of Adult Social Services (Functions undertaken by Executive Director of Adult Social Services)
Executive Director of Community and Environmental Services
Executive Director of Strategy and Transformation,
Chief Fire Officer
Director of Public Health (DPH)
Director of Governance

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- (b) **Structure.** The number and responsibilities of Chief Officers are determined by the Council on the advice of the Head of Paid Service. The Head of Paid Service is accountable to the Executive and to the Council on the manner in which the discharge of the Council's functions is coordinated. A description of the overall departmental structure of the Council showing the management structure and deployment of officers is set out in Appendix 27.
- (c) **Head of Paid Service and Chief Officers.** The most senior posts in the structure are designated as the Head of Paid Service and Chief Officers. They are responsible for the day-to-day managerial and operational decisions within the Council and provide support to all Members in their several roles.

(d) **General Role**

The roles of the Head of Paid Service and Chief Officers are:

- (i) to support and advise the Council, Executive, Scrutiny Committees and other Committees on policy and service delivery in order that Members' decisions are well informed.
- (ii) to ensure that the policies and decisions of the Council and Executive are formulated and delivered effectively and efficiently
- (iii) to provide strong managerial leadership and direction, foster cross- departmental working and implement organisational improvement
- (iv) to set high standards and drive up the performance, effectiveness and reputation of the Council

- (v) to work with outside bodies and access additional funds and resources in order to support the Council's programmes of work
- (vi) to recruit, develop, motivate and inspire staff

(e) Specific roles

The specific roles of the Head of Paid Service and the individual Chief Officers are:

Head of Paid Service	Overall corporate management and operational responsibility. Provision of professional advice and support to Members of the council. Representing the council on external and partnership bodies
Executive Director of Community & Environmental Services	Functions focussed generally on ensuring support and environment which supports residents, visitors and businesses to be safe and well. Public Health, Environment, Waste, Highways infrastructure and maintenance, Transportation, Growth and Development, Planning, Fire and Rescue, Trading Standards, Emergency Planning, Customer Services, Cultural Services, Adult Education, Libraries, Equality and Diversity.
Executive Director of Children's Services	Statutory functions in respect of Children's Services. Education of children and young people. Children's Early Help, Social and Welfare Services for Children and vulnerable young people.
Executive Director of Adult Social Services	Statutory functions in respect of Adult Social Services, Adult Social Work, Integrated Health and Social Care, Commissioning.
Executive Director, Finance and Commercial Services	Statutory responsibilities of the Chief Finance Officer (Section 151 officer) Budgeting and Financial Management, Exchequer Services, Pensions, Investment and Treasury Management, Risk & Insurance, Property, Audit, IMT and Procurement and Transactional Services.
Executive Director, Strategy & Transformation, Director of Governance	HR, Communications, Intelligence and Analytics and Strategy. <u>Nplaw, Governance & Regulatory Services</u>

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- (f) Head of Paid Service, Monitoring Officer and Chief Financial Officer.** The Council has designated the following posts as shown:

Head of Paid Service: Executive Director of Community and Environmental Services

Chief Finance Officer: Executive Director, Finance and Commercial Services

Monitoring Officer: Director of Governance

These posts will have the functions described in Article 11.2 to 11.4 below.

10.2 Functions of the Head of Paid Service

- (1) The Head of Paid Service has the following roles:
 - (a) overall corporate management and operational responsibility (including overall management responsibility for all staff)
 - (b) the provision of professional advice to all parties in the decision-making process (the executive, scrutiny, full Council and other committees)
 - (c) together with the Director of Governance, responsibility for a system for record keeping for all the local authority's decisions (executive or otherwise)
 - (d) representing the Council on partnership and external bodies (as required by statute or the Council)
- (2) The Head of Paid Service will report to the Council on:
 - (a) the manner in which the discharge by the authority of its functions is co-ordinated
 - (b) the number and grades of staff required by the authority for the discharge of its functions
 - (c) the organisation of the authority's staff
 - (d) the appointment and proper management of the authority' staff.

10.3 Functions of the Director of Governance as Monitoring Officer

As Monitoring Officer, the Director of Governance will:

- (1) Maintain an up-to-date version of the Constitution and will ensure through the Head of Governance and Regulatory Services it is widely available for inspection by Members, officers and the public.
- (2) After consulting with the Head of Paid Service and the Chief Finance Officer report to the full Council, or to the Executive in relation to an executive function, if they consider that any proposal, decision or omission would give, is likely to give, or has given, rise to a contravention of any enactment or rule of law, or any maladministration or injustice. Such a report has the effect of stopping the proposal or decision being implemented until the report has been considered.
- (3) Contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards Committee.
- (4) Ensure that records of executive decisions, including the reasons for those decisions and relevant officer reports and background papers, are made publicly available.

- (5) Advise whether decisions of the executive are in accordance with the Budget and Policy Framework.
- (6) Provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework issues to all Members.
- (7) Establish and maintain the register of Members' interests described in Appendix 17, and ensures it publicity and updating.

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Appendix 29 is a protocol which explains the role and function of the Monitoring Officer and the arrangements agreed by the County Council for ensuring the role is effectively carried out.

10.4 Functions of the Executive Director, Finance and Commercial Services as Chief Finance Officer

As Chief Finance Officer the Executive Director, Finance and Commercial Services will:

- (1) After consulting with the Head of Paid Service and the Director of Governance, report to the full Council, or to the Executive in relation to an executive function, and the Council's external auditor if they consider that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency, or if the Council is about to enter an item of account unlawfully.
- (2) Have responsibility for the administration of the financial affairs of the Council and be the Section 151 Officer.
- (3) Maintain an adequate and effective internal audit.
- (4) Contribute to the corporate management of the Council, in particular through the provision of professional financial advice.
- (5) Provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework issues to all Members and will support and advise Members and officers in their respective roles.
- (6) Provide financial information about the Council to Members of the Council, the media, members of the public and the community.

10.5 Duty to provide sufficient resources to the Head of Paid Service, Monitoring Officer and Chief Finance Officer

The Council will provide the Head of Paid Service, Chief Finance Officer and Director of Governance with such officers, accommodation and other resources as are in the opinion of the relevant officer sufficient to allow their statutory duties to be performed.

10.6 Conduct

Officers will comply with the Officers' Code of Conduct and the Protocol on Officer/Member Relations set out in Appendix 22.

10.7 Employment

The recruitment, selection and dismissal of officers will comply with the Officer Employment Rules set out in Appendix 14.

ARTICLE 11 - DECISION MAKING

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11.1 Responsibility for decision making

The Council will issue and keep up to date a record of what part of the Council or individual has responsibility for particular types of decisions or decisions relating to particular areas or functions. This record is set out in Appendices 2, 2A, 3, 4 and 5.

11.2 Principles of decision making

These principles will underpin the way the Council makes its decisions: -

- (1) Actions agreed will be in proportion with what the Council wants to achieve.
- (2) Appropriate consultation will have been carried out and decisions will take account of its results and any professional advice given by officers.
- (3) Decisions will reflect the spirit and requirements of Equalities and Human Rights legislation.
- (4) The presumption that all decisions made by the Council, the Executive and Committees should be made in public with only those issues that need to be exempt by virtue of the Access to Information Rules will be taken in private.
- (5) Decisions will be clear about what they aim to achieve and the results that can be expected.

In addition, in the case of all decisions taken by the Executive or a Committee or individual member of the Executive, a statement will be published which includes details of the options considered and the reasons for the decision.

11.3 Types of decision

- (6) Decisions reserved to Full Council.

Decisions relating to the functions listed in Article 4.2 will be made by the full Council and not delegated.

- (7) Key decisions

- (i) A decision taker may only make a key decision in accordance with the requirements of the Access to Information Procedure Rules set out in Appendix 13.
- (ii) A key decision is defined as either
 - (a) any decision in relation to an executive function which results in the local authority incurring expenditure which is, or the making of savings which are, in excess of £1.25m having regard to the local authority's budget for the

service or function to which a decision relates; or

- (b) any decision which is likely to have a significant impact on communities living or working in an area comprising two or more electoral divisions.

For this purpose, the Council has agreed that a key decision is any decision which

- recommends a budget to the full Council
- proposes an amendment to the Council's Policy Framework (as defined in Article 4.1 of this Constitution)
- involves the expenditure or savings of more than £1.25M over one accounting year unless expressly provided for in the adopted budget or Policy Framework
- involves the acquisition or disposal of land and buildings or any interest in land and buildings in excess of the value of £1.25M unless covered by a specific item in the budget
- involves a budget virement of funding in excess of the virement limits set out in Appendix 15 (financial regulations) of this Constitution
- recommends the promotion or amendment of local legislation
- involves significant public, private and voluntary partnership working in Norfolk

Together with any other decision which the Monitoring Officer in consultation with the Leader and Head of Paid Service considers to be a key decision within the Regulations.

11.4 Procedures of the full Council

Subject to Article 11.8, the Council meeting will follow the Council Procedure Rules set out in Appendix 7 when considering any matter.

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11.5 Procedures of the Executive

Subject to Article 11.8 the Executive will follow the Cabinet Procedure Rules set out in Appendix 9 when considering any matter.

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11.6 Procedures of the Scrutiny committee

The Scrutiny Committee will follow the Scrutiny Procedure Rules set out in Appendices 8 and 10 when considering any matter.

11.7 Procedures of other committees and sub-committees established by the Council

Subject to Article 11.8, other Council committees and sub-committees will follow the Committee Procedure Rules set out in Appendix 8 and (so far as relevant to their responsibilities) will comply with the provisions of the Code of Best Practice for Planning Procedures set out in Appendix 19 and the procedures for Public Speaking at Committees in Appendix 28.

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11.8 Decision making by Council bodies acting as tribunals

The Council, a Committee, a Councillor or an officer acting as a tribunal or in a quasi- judicial manner or determining/considering (other than for the purposes of giving advice) the civil rights and obligations or the criminal responsibility of any person will follow a proper procedure which accords with the requirements of natural justice and the Human Rights Act 1998.

ARTICLE 12 - FINANCE, CONTRACTS AND LEGAL MATTERS

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1.0 FINANCIAL MANAGEMENT

The management of the Council's financial affairs will be conducted in accordance with the Financial Regulations set out in Appendix 15 of this Constitution.

2.0 CONTRACTS

- 2.1 Every contract made by the Council will comply with the Contract Standing Orders set out in Appendix 16 of this Constitution.
- 2.2 In addition, the Executive Director, Finance and Commercial Services and Director of Governance are each authorised to certify contracts under the Local Government (Contracts) Act 1997 and to nominate deputies for this purpose.

3.0 LEGAL PROCEEDINGS

- 3.1 The Director of Governance is authorised to institute, defend or participate in and settle any legal proceedings in any case where such action is necessary to give effect to decisions of the Council or in any case where the Director of Governance considers that such action is necessary to protect or pursue the Council's interests. In the case of proceedings of special significance, the Director of Governance is expected to consult with the Head of Paid Service although failure to do so will not invalidate the action taken.
- 3.2 In addition, Chief Officers and the Head of Trading Standards are authorised to institute criminal proceedings in respect of matters falling within their areas of responsibility.
- 3.3 Other powers to institute legal proceedings are set out in the Scheme of Delegated Powers to Chief Officers in Appendix 5 of this Constitution.

4.0 AUTHENTICATION OF DOCUMENTS

- 4.1 Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by the Director of Governance or other person authorised by them, unless (a) any enactment otherwise authorises or requires, or (b) the Council has given requisite authority to some other person or (c) the document relates to criminal proceedings instituted by a Chief Officer or the Head of Trading Standards in which case that officer has this authority.
- 4.2 Any award with a value exceeding £30,000 entered into on behalf of the Council must be evidenced by way of a contract. Such contracts must either be signed by at least two authorised officers of the Council or made under the common seal of the Council attested by at least one authorised officer.

5.0 COMMON SEAL OF THE COUNCIL

The Common Seal of the Council and its electronic equivalent will be kept in a safe place in the custody of the Director of Governance. A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal or its electronic equivalent will be affixed on those documents which in the opinion of the Director of Governance should be sealed. The affixing of the Common Seal will be attested by the Director of Governance or some other person authorised by them.

ARTICLE 13 – REVIEW AND REVISION OF THE CONSTITUTION

Commented [EH12]: No change except to numbering

Deleted: 4

1.0 Duty to monitor and review the Constitution

- 1.1 The Council from time to time will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.
- 1.2 A key role for the Director of Governance is to be aware of the strengths and weaknesses of the Constitution adopted by the Council, and to make recommendations for the way in which it could be amended in order to better reflect the purposes set out in Article 1. In undertaking this task, the Director of Governance may:
- Observe meetings of different parts of the Member and officer structure;
 - Undertake an audit trail of a sample of decisions;
 - Record and analyse issues raised by Members, officers, the public and other relevant stakeholders; and
 - Compare practices in this Council with those in other comparable authorities, or national examples of best practice.

2.0 Changes to the Constitution

- 2.1 Substantive changes to the Constitution must be approved by Full Council only after consideration of the proposal by the Corporate Select Committee. Changes to factual references, changes required by a change in the law and consequential changes will be made by the Director of Governance. Changes to reflect revised arrangements for the distribution of responsibilities and the delegation of powers to officers in accordance with decisions taken by the person(s) or body with authority to take such action, will be made by the Director of Governance.

ARTICLE 14 – SUSPENSION AND PUBLICATION OF THE CONSTITUTION

Deleted: 5

1.0 Suspension of the Constitution

- 1.1 The Articles of this Constitution may not be suspended.
- 1.2 The rules of the Council set out in the Appendices of this Constitution may be suspended:
- (a) in accordance with any procedures set out in those rules; or
 - (b) by resolution of the Council to the extent permitted by the law.

2.0 Publication

The Director of Governance will:

- (1) Ensure that the Constitution is brought to the attention of each Member upon delivery to them of that individual's declaration of acceptance of office on first being elected to the Council.
- (2) Ensure that copies of the Constitution are available for inspection at County Hall and can be purchased by members of the Media and the public on payment of a reasonable fee, as determined by the Director of Governance, although requestors will be encouraged as an alternative to access the online version, to ensure they will always be looking at the most recent version.
- (3) Ensure that the Executive Summary of the Constitution is made widely available and is updated as necessary.
- (4) Ensure that the Constitution is kept up to date and available on the Council's website.

APPENDIX 1

SUMMARY OF EXECUTIVE ARRANGEMENTS

Commented [EH13]: References to numbers in this Appendix will be checked and amended as required once whole Constitution is reviewed

The Council's Executive arrangements comprise the parts of this Constitution listed below:

1. Article 6 (Overview and Scrutiny Arrangements) and Appendix 10 (Overview and Scrutiny Procedure Rules).
2. Article 7 (The Executive) and Appendix 9 (the Cabinet Procedure Rules).
3. Article 10 and Appendix 4 (Joint Arrangements).
4. Article 12 (Decision Making) and Appendix 13 (Access to Information Procedure Rules).
5. Appendix 3 (Delegations to Members of the Executive).
6. Appendix 5 (Scheme of Delegated Powers to Chief Officers)

APPENDIX 2

Commented [EH14]: No changes proposed

COMPOSITION, TERMS OF REFERENCE OF REGULATORY AND OTHER COMMITTEES

PLANNING (REGULATORY) COMMITTEE

Composition

13 Members of the Council but may not include any Members of the Cabinet.

Substitutes will be drawn from a nominated panel of trained Members.

Terms of Reference

To exercise the Council's powers and duties in respect of town and country planning and development control which are not the responsibility of the Council's Cabinet.

To exercise the Council's powers and duties in respect of obtaining information as to interests in land under Section 330 of the Town and Country Planning Act 1990.

To exercise the Council's powers and duties in respect of obtaining particulars of persons interested in land under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976.

Additionally, the Planning Regulatory Committee shall:

1. Deal with those nationally significant infrastructure project consultations, where the promoter/applicant is Norfolk County Council
2. Deal with explosives
3. Review applications under the Marriage Act 1994
4. Deal with registration of common land and village greens and variation of rights of common
5. Deal with public rights of way and access (insofar as they are not executive functions of the Council)
6. Any other issues of a quasi-judicial nature requiring a Member decision or referred to this Committee by a Chief or other officer (including the determination of any appeal against any decision made by or on behalf of the Council), and not allocated to any other Member body.

PLANNING (REGULATORY) URGENT BUSINESS SUB-COMMITTEE

Composition

5 named members of the main Committee.

Terms of Reference

To exercise all the powers of the main Committee where a decision is required urgently (having been agreed as such by the Head of Governance and Regulatory Services and relevant Chief Officer).

Deleted:

PENSIONS COMMITTEE

Composition

5 Members of the Council which may include 2 Members of the Cabinet

2 additional voting Members nominated by the Norfolk Leaders Board to represent the interests of District Councils and other authorities which are admitted to the Norfolk County Superannuation Fund

1 staff representative, with full voting rights.

NOTE: The Members have Trustee status and no substitution is permitted.

Terms of Reference

1. To administer all aspects of the Norfolk Pension Fund on behalf of Norfolk County Council as Administering Authority of the Local Government Pension Scheme, and on behalf of Norfolk County Council as an employer within the Scheme alongside all other contributing employers, and on behalf of all scheme beneficiaries (scheme members) including:
 - (a) Functions relating to local government pensions etc. under regulations made under Sections 7, 12 or 24 of the Superannuation Act 1972.
 - (b) To receive and consider the draft Financial Statements for the Norfolk Pension Fund.
 - (c) To comment on the draft Financial Statements and make a recommendation to the Audit Committee that they be approved/not approved.

AUDIT COMMITTEE

Composition

7 Members of the Council, on a politically balanced basis. Cabinet members may not be members of this Committee. No more than 1 Scrutiny Committee Member to serve on this Committee but may not serve as Chair.

Terms of Reference

- A. *Governance*
 1. Consider the Annual Governance Statement, and be satisfied that this statement is comprehensive, properly reflects the risk and internal control environment, including the System of Internal Audit, and includes an agreed action plan for improvements where necessary.
- B. *Internal Audit and Internal Control*
 1. With Chief Officers, to provide proactive leadership and direction on audit governance issues and champion audit and internal control throughout the Council.

2. Consider annually the effectiveness of the system of internal audit including internal audit's strategy, plan and performance and that those arrangements are compliant with all applicable statutes and regulations, including the Public Sector Internal Audit Standards and the Local Authority Guidance Note of 2013 and any other relevant statements of best practice.
3. Consider an annual report and quarterly summaries of internal audit reports and activities which include an opinion on the adequacy and effectiveness of the Council's internal controls including risk management, any corporately significant issues arising, and receive assurance that action has been taken as necessary.
4. Consider reports showing progress of all clients against the audit plan and proposed amendments to the Council's audit plan.
5. Ensure there are effective relationships between internal audit and external audit, other inspection agencies and other relevant bodies and that the value of the audit process is actively promoted.

C. *Risk Management*

1. Provide proactive leadership and direction on risk management governance issues and champion risk management throughout the council and ensure that the Full Council is kept sufficiently informed to enable it to approve the Council's risk management Policy and Framework and that proper insurance exists where appropriate.
2. Consider the effectiveness of the system of risk management arrangements.
3. Consider an annual report and quarterly reports with respect to risk management including, an opinion on the adequacy and effectiveness of the Council's risk management, any corporately significant issues arising, and receive assurance that action has been taken as necessary.
4. Receive assurances that action is being taken on risk related issues identified by both internal and external auditors and other inspectors.
5. Independent scrutiny of the authority's financial and non-financial performance to the extent that it affects the authority's exposure to risk.
6. Report annually to full Council as per the Financial Regulations.

D. *Anti-Fraud and Corruption*

1. Provide proactive leadership and direction on Anti-Fraud and Corruption and champion Anti-Fraud and Corruption throughout the Council.
2. Consider the effectiveness of the Council's anti-fraud and corruption arrangements.
3. Consider an annual report on activity with respect to Anti-Fraud and Corruption performance and receive assurances that action is being taken where necessary.

E. *Annual Statement of Accounts*

1. Consider the external auditor's reports and opinions, relevant requirements of the International Standards on Auditing and any other reports to Members with respect

to the Accounts, including the Norfolk Pension Fund, Norfolk Fire-fighters' Pension Fund and approve the Accounts on behalf of the Council and report required actions to the Council. Monitor management action in response to issues raised by the external auditor.

2. Consider the External Auditors' Annual Governance Report and approve the Letter of Representation with respect to the Accounts and endorse the action plan contained in this Report.

F. External Audit

1. Consider reports of external audit and inspection agencies.
2. Ensure there are effective relationships between external audit and internal audit.
3. Consider the scope and fees of the external auditors for audit, inspection and other work.

G. Norfolk Pension Fund

1. Following presentation to the Pensions Committee and with due regard to any comments and observations made, consider the draft Accounts of the Norfolk Pension Fund.

H. Treasury Management

1. Consider the effectiveness of the governance, control and risk management arrangements for Treasury Management and ensure that they meet best practice.

I. Administration

1. Review the Committee's own terms of reference no less frequently than annually and where appropriate make recommendations to the Council for changes.
2. Ensure Members of the committee have sufficient training to effectively undertake the duties of this committee.
3. Consider the six monthly and Annual Reports of the Chair of the Committee.

HEALTH AND WELLBEING BOARD

Composition:

Relevant Cabinet member for Adults, Public Health/ and Prevention
Relevant Cabinet member for Children's Services and Education
Leader of the Council or their nominee
Director of Public Health*
Head of Paid Service (or their nominee), Norfolk County Council
Director of Children's Services*
Director of Adult Social Services*
Chair of Healthwatch Norfolk*
Representatives agreed with each of the CCGs*
Representatives agreed with all 7 District/City/Borough Councils
Area Director NHS England East Sub Region Team
Three representatives from the voluntary sector, as agreed through Norfolk
Voluntary, Community and Social Enterprise System Leadership Group
Norfolk's Police and Crime Commissioner
Norfolk's Chief Constable
Norfolk & Waveney Sustainability & Transformation Partnership (Chair)
Norfolk & Waveney Sustainability & Transformation Partnership (Executive Lead)
Cabinet Member for Community Health & Safety - Waveney District Council (or its
successor authority)
East Coast Community Healthcare CIC
James Paget University Hospital NHS Trust
Norfolk Community Health & Care NHS Trust
Norfolk Independent Care
Norfolk & Norwich University Hospital NHS Trust
Norfolk & Suffolk NHS Foundation Trust
Queen Elizabeth Hospital NHS Trust
Cambridgeshire Community Services NHS Trust

* Denotes statutory Member

Terms of Reference

Aim

The Norfolk Health and Wellbeing Board will lead and advise on work to improve the health and wellbeing of the population of Norfolk by providing strategic leadership of, and oversight for, the commissioning across the NHS, social care and public health.

Purpose is to:

1. Lead the development, with Norfolk County Council and Norfolk's Clinical Commissioning Groups, of the Joint Strategic Needs Assessment (JSNA).
2. Influence and support commissioners of health and wellbeing services to act in line with the evidence-based findings of the JSNA, and to highlight where commissioning is out of step with best evidence.
3. Lead the development, with Norfolk County Council and Norfolk's Clinical

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Commissioning Groups, of the Joint Health and Wellbeing Strategy (JH&WBS).

4. Undertake the Norfolk Pharmaceutical Needs Assessment (PNA)
5. Speak up for Norfolk, championing the health and wellbeing needs of the people of Norfolk at a local, sub-regional and national level and challenging central government policy where it conflicts with locally identified priorities,
6. Lead and encourage a broad base of partners outside of formal health, public health and social care settings to tackle the wider determinants of health and wellbeing, including, for example, housing.
7. Work as system leaders to drive the further integration of health and social care services, and other public services and to ensure collaboration across the health and social care system, seeking assurance of the vision of the Norfolk and Waveney Sustainability and Transformation Plan (STP)
8. Promote the sharing of good practice and learning across the Norfolk health and wellbeing system, through workshops, training sessions, HWB events, good practice awards, etc
9. Seek assurance on whether the Clinical Commissioning Groups' (CCGs) commissioning plans take proper account of the JH&WBS, and provide a view to NHS England, as part of the annual performance assessment of CCGs, on the CCGs' contribution to the delivery of the JH&WBS.

In addition to the above Terms of reference, the following provisions apply:

- Establishment of sub-committees and delegation – The Health and Wellbeing Board will have the power to establish sub-committees and to delegate functions to them.
- Voting restrictions – voting rights will be extended to all members of the Health and Wellbeing Board (not just elected Members).
- Political proportionality requirements – will not be a requirement for the Health and Wellbeing Board.
- Disqualification for membership – provision for disqualification for membership will apply to the Health and Wellbeing Board.
- Codes of Conduct and declarations of interest – the provisions in the Council's Constitution relating to Codes of Conduct and the disclosure of pecuniary interests will apply to all Members of the Health and Wellbeing Board

Questions by the Public

The public are entitled to ask questions at meetings of the Health and Wellbeing Board, in line with the following procedures:

1. How to ask a question

A question must be put in writing and in advance:

- a) 2 working days' notice of the question is given in writing to the Head of Governance and Regulatory Services ; e.g. no later than 9:00am on the Monday preceding the Health and Wellbeing Board meeting on a Wednesday

Or

- b) If the question relates to urgent matters, and it has the consent of the chair to whom the question is to be put, and the content of the question is given to the Head of Governance and Regulatory Services by 4pm on the day before the

meeting.

2. *Who may ask a question and about what*

A person resident in Norfolk, or who is a non-domestic ratepayer in Norfolk, or who pays Council Tax in Norfolk, may ask at a public meeting of the Health and Wellbeing Board through the Chair any question within the terms of reference of the Health and Wellbeing Board about a matter for which the Board has collective responsibility or particularly affects the Board. This does not include questions for individual Board members where responsibility for the matter sits with the individual organisation.

3. *Rules about questions*

- a) Number of questions - At any public Health and Wellbeing Board meeting, the number of questions which can be asked will be limited to one question per person plus a supplementary. No more than one question plus a supplementary may be asked on behalf of any one organisation. No person shall be entitled to ask in total under this provision more than one question, and a supplementary, to the Health and Wellbeing Board in any six-month period.
- b) Other restrictions - Questions are subject to a maximum word limit of 110 words. Questions that are more than 110 words will be disqualified. The total time for public questions will be limited to 15 minutes. Questions will be put in the order in which they are received
- c) Supplementary questions - One supplementary question may be asked without notice and should be brief (fewer than 75 words and take less than 20 seconds to put). It should relate directly to the original question or the reply. The Chair may reject any supplementary question they do not consider compliant with this requirement.

4. *Response*

The Chair shall exercise their discretion as to the response given to the question and any supplementary.

Not attending - If the person asking the question indicates they will not be attending the Board meeting, a written response will simply be sent to the questioner.

Attending - If the person asking the question has indicated they will attend, response to the questions will be made available at the start of the meeting and copies of the questions and answers will be available to all in attendance. The responses to questions will not be read out at the meeting.

Supplementary question - The Chair may give an oral response to a supplementary question or may require another Member of the Board or officer in attendance to answer it. If an oral answer cannot be conveniently given, a written response will be sent to the questioner within seven working days of the meeting.

Written response - If the person who has given notice of the question is not present at the meeting or if any questions remain unanswered within the 15 minutes allowed for questions, a written response will be sent within seven working days of the meeting.

5. *Rejection of a question*

The Head of Governance and Regulatory Services may reject a question if it:

- (a) Is not about a matter for which the Board has collective responsibility or particularly affects the Board;

- (b) Is defamatory, frivolous or offensive or has been the subject of a similar question in the last 6 months or the same as one already submitted under this provision;
- (c) Requires the disclosure of confidential or exempt information, as defined in the Council's Access to Information Procedure Rules.

STANDARDS COMMITTEE

Composition

The Standards Committee is composed of seven non-Cabinet Councillors appointed on a politically balanced basis.

Terms of reference

1. The general functions of the Committee are to:
 - (a) promote and maintain high standards of conduct by Members and co-opted Members of the Council
 - (b) assist Members and co-opted Members of the Council to observe the Council's code of conduct.
2. The specific functions of the Committee are to:
 - (a) advise the Council on the means of carrying out the general functions in para 1
 - (b) advise the Council on the adoption and revision of codes of conduct for Members and officers
 - (c) monitor the operation of the Council's code of conduct
 - (d) advise and arrange training for Members of the Council and co-opted Members on matters relating to the Council's code of conduct for Members
 - (e) arrange for Councillors and co-opted Members to receive dispensations to speak on, and participate in matters in which they have a prejudicial interest
 - (f) convene sub-Committees of three non-Cabinet Council Councillors (drawn from at least two political parties and where possible, gender balanced) to hear complaints against Councillors relating to conduct, ethics and propriety referred to them by the Director of Governance. Such sub-Committees to have power to take no further action or such actions as are necessary and permitted under arrangements for dealing with standards allegations which are published on the Council's website.

EMPLOYMENT COMMITTEE

Composition

The Employment Committee is composed of seven Councillors appointed on a politically balanced basis but to include the Leader of the Council, the Deputy Leader of the Council and the Leader of the majority opposition group.

Terms of reference

1. To be responsible for the establishment of the Chief Officer structures of the Council and advise on the appointment of the Head of Paid Service* and those officer roles defined in the appendix to the Officer Employment Procedure Rules together with pay arrangements if not in line with national negotiation procedures and current policy. This power includes the establishment of ad hoc Appointment Panels to discharge this function.

** The full Council will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by an Appointment Panel appointed for this purpose by the Employment Committee.*

2. To determine new material local terms and conditions of employment for employees that have a significant financial impact for the organisation or would impact on a significant part of the overall workforce as identified and advised by the Director for People and Head of Paid Service.
3. To be responsible for taking disciplinary action in respect of the Head of Paid Service, and other Chief Officers as required by legislation. This power includes the establishment of ad hoc Disciplinary Action panels to discharge this function.

STATUTORY SCRUTINY

1.1 General

There is a statutory requirement for the Council to make arrangements for the scrutiny of certain matters, as specified in the following legislation:

- Section 21 of the Local Government Act 2000 and Section 7 of the Health and Social Care Act 2001 as amended by the Health and Social Care Act 2012 and the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 (SI 2013/218).
- These powers shall be exercised by the Norfolk Health Overview and Scrutiny Committee.

The Council has a role as lead authority under joint arrangements for the Norfolk Police and Crime Panel.

The Council has also agreed to establish a scrutiny function of the Norfolk Community Safety Partnership. This function shall be exercised through the Countywide Community Safety Partnership.

2. Norfolk Health Overview and Scrutiny Committee

The Council has established a Norfolk Health Overview and Scrutiny Committee, with powers to scrutinise National Health Service bodies in Norfolk. The quorum for meetings of Norfolk Health Overview and Scrutiny Committee is 5.

2.1 Membership of the Norfolk Health Overview and Scrutiny Committee

(a) Membership

- 8 Norfolk County Council Members (politically balanced).
- 7 District Council Members – one co-opted from each District.
- District Council Members must be Members of an Overview and Scrutiny Committee of the Council(s) which they are representing.
- Each Member of the Committee to have one named substitute. No other substitutes acceptable.
- The Chairman to be elected from the Norfolk County Council Members on the Committee, on an annual basis.
- The Vice-Chairman to be elected from the Norfolk district council Members on the Committee, on an annual basis.

(b) Co-opted Members (non-voting) to represent the Waveney area of Suffolk

- 2 Members of Suffolk Health Scrutiny Committee

- 1 must be an East Suffolk District Councillor
- 1 must be a Suffolk County Councillor
- Each co-opted Member may have one named substitute. No other substitutes acceptable.

(c) Contributions from others

- The Committee will invite contributions from commissioners and providers of local NHS funded healthcare, Local Healthwatch, client groups, voluntary organisations, patients and public, or any other stakeholder involved in 'health'.
- Depending upon the issue under scrutiny, stakeholders may be invited to contribute to relevant meetings of the Committee or to submit their views in writing or both. Individual stakeholders may also be asked to become a Member of a task-and-finish Working Group set up by the Committee.

2.2 Terms of Reference of the Norfolk Health Overview and Scrutiny Committee

Aims of the Committee

- (i) To ensure that the needs and wishes for health and health-related services of all the population (including minorities, socially excluded groups and other targeted equality groups) have been identified towards achieving local health improvement.
- (ii) To scrutinise whether services provided that have an impact on the health of local inhabitants are accessible to, and can be accessed by, all parts of the local community.
- (iii) To scrutinise whether the outcomes of intervention (whether through services or other intervention designed to have a positive impact on the health of local inhabitants) are equally good for all groups and sections of the local population.

Legal background

- (i) Local authority overview and scrutiny committees are part of the arrangements for local government under Part II of the Local Government Act 2000. Local authorities are given the power under the 2000 Act to review and scrutinise executive decisions in relation to local authority functions including local services planned and provided as part of their wider responsibility to see health improvements and reduce health inequalities for their area and its inhabitants.
- (ii) The Health and Social Care Act 2001 (Section 7) extends the overview and scrutiny power of local authorities with social services responsibilities to review and scrutinise matters relating to the health service in the authority's area and make reports and recommendations on such matters. The scrutiny role also covers social care services commissioned or provided by NHS bodies exercising local authority functions under the Health Act 1999 (Section 31).
- (iii) The Health and Social Care Act 2012 introduced the following changes to the local authority health scrutiny functions;
 - Health Scrutiny powers are now vested in the upper tier local authority rather than in health overview and scrutiny committees.
 - There does not have to be a designated health overview and scrutiny committee as the local authority can choose to discharge its health scrutiny powers in other ways.

- (iv) As a Committee of the County Council, the County Council's Constitution will apply, except only for differences specified in this Constitution.

Roles

To review or scrutinise health services commissioned or delivered in the authority's areas within the framework set out below: -

- Arrangements made by local NHS bodies to secure hospital and community health services to the inhabitants of Norfolk;
- The provision of such services to those inhabitants;
- The provision of family health services, personal medical services, personal dental services, pharmacy and NHS ophthalmic services;
- The NHS public health arrangements in Norfolk, e.g. Arrangements by the NHS bodies for the surveillance of, and response to, outbreaks of communicable disease;
- The planning of health services by NHS bodies, including plans made in co-operation with local authorities setting out a strategy for improving both the health of the local population and the provision of health care to that population;
- The arrangements made by NHS bodies for consulting and involving patients and the public under the duty placed on them by Section 11 of the Health and Social Care Act 2001
- To make reports and recommendations to the Board of the NHS body scrutinised, with copies to individuals and organisations as follows:
 - the local Members of Parliament
 - the NHS Commissioning Board
 - Local Healthwatch
 - relevant patients' groups
 - local voluntary organisations with an interest
 - other bodies or organisations with an interest in the issues dealt with in the report and made available on the local authority website and on request;
- The Committee has been given delegated power by the County Council to enter into, and to appoint Members to Joint Health Overview and Scrutiny Committees as required and the Council has waived the requirement for the Committee's appointments to such Joint Committees to be in line with the political balance on Norfolk County Council and the requirement for any other Council participating in such Joint Committees to make its appointments in line with the political balance on its Council.
- The Committee (and any joint health scrutiny committees in which Norfolk participates) has been given delegated powers to make referrals to the Secretary of State in accordance with the Regulations, but the Committee (and any joint health scrutiny committees in which Norfolk participates) must notify the Council of its intention to make such a referral before the referral is made.

2.3 Operation of the Norfolk Health Overview and Scrutiny Committee

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- The views of all Members of the Committee should be taken into account when deciding their work plans.
- Party whipping will not take place.
- The Relevant Chief Officer should present reports and attend meetings.
- Reports to Council will include the views of Members dissenting from the majority recommendation of the Committee.

3. Norfolk Police and Crime Panel

The Police Reform and Social Responsibility Act 2011 introduced significant changes in police governance and accountability, in particular replacing the Police Authorities with directly elected Police and Crime Commissioners (Commissioners). The Act also requires the local authorities in each police force area to establish a Police and Crime Panel (panel), as a joint committee, primarily to scrutinise the commissioner. The Act also prescribes many of the arrangements with regard to the panel and the way in which it conducts its business. Norfolk County Council is the host authority for the Norfolk Police and Crime Panel. The Panel's membership, terms of reference and procedures can be viewed at:

<https://www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance-and-partnerships/partnerships/crime-and-disorder-partnerships/police-and-crime-panel>

3.1 Functions of the Norfolk Police and Crime Panel

1. The functions of the PCP must be exercised with a view to supporting the effective exercise of the functions of the PCC for Norfolk:
2. The PCP must: -
 - (i) review the draft police and crime plan, or draft variation given to the PCP by the PCC, and
 - (ii) make a report or recommendation on the draft plan or variation to the PCC
3. The PCP must: -
 - (i) arrange for a public meeting of the PCP to be held as soon as practicable after the PCP is sent the PCC's annual report
 - (ii) ask the PCC, at that meeting, such questions about the annual report as the members of the PCP think appropriate
 - (iii) review the annual report, and
 - (iv) make a report or recommendations on the annual report to the PCC
4. The PCP must hold a confirmation hearing to review the proposed appointment by the PCC of: -

- (i) the PCC's chief executive
- (ii) the PCC's chief finance officer
- (iii) a deputy PCC

The PCP must make a report to the PCC and the report must include a recommendation as to whether or not the candidate should be appointed.

5. The PCP must respond to any proposal by the PCC to call upon the Chief Constable to retire or resign, by making a recommendation to the PCC as to whether or not the PCC should call for the retirement or resignation.
6. The PCP must review, make a report and may make recommendations on the precept which the PCC proposes to issue for the financial year.
7. The PCP must hold a confirmation hearing to review the proposed appointment by the PCC of a Chief Constable. The PCP must make a report to the PCC and the report must include a recommendation as to whether or not the candidate should be appointed or must include a statement that the PCP has vetoed the appointment.
8. The PCP must: -
 - (i) review or scrutinise decisions made, or other action taken, by the PCC in connection with the discharge of the PCC's functions; and
 - (ii) make reports or recommendations to the PCC with respect to the discharge of the PCC's functions
9. The PCP must publish any reports or recommendations made by it to the PCC and must determine the manner in which such reports or recommendations are to be published.
10. The PCP must send copies of any reports or recommendations it makes to the PCC, to each local authority (county, city, district and borough councils) in Norfolk.
11. The PCP must fulfil functions in relation to complaints about conduct matters, in accordance with the responsibilities given to the PCP by the Act.
12. The PCP must appoint an Acting PCC in the circumstances set out in the Act.
13. The PCP may not exercise any functions other than those conferred by the Act.

4. Scrutiny of Norfolk Community Safety Partnership

- 4.1 The Scrutiny Committee has the power to scrutinise and make reports and recommendations, regarding decisions taken by the 'responsible authorities' in connection with the discharge of their crime and disorder functions. For this purpose, the Committee has established a Countywide Community Safety Partnership Sub Panel.

The 'responsible authorities' in Norfolk are: -

- The County Council
- District Councils

- Norfolk Constabulary
- Norfolk Fire and Rescue Service
- Health – Clinical Commissioning Groups
- Probation service

Role of the Sub Panel

4.2 The role of the Norfolk Countywide Community Safety Partnership Sub Panel is to: -

- Scrutinise on an annual basis to the Community Safety Partnership Plan and on such other occasions as are required to scrutinise the actions, decisions and priorities of the Norfolk Countywide Community Safety Crime and Disorder Partnership in respect of crime and disorder.
- Scrutinise the priorities as set out in the annual Countywide Community Safety Partnership Plan.
- Make any reports or recommendations to the Countywide Community Safety Partnership and/or where considered appropriate to the Scrutiny Committee.

Membership of the Sub Panel

- 3 County Councillors (Politically balanced and can be drawn from the Police and Crime Panel)
- 7 District Council Members – one co-opted from each District.
- Each member of the Sub Panel to have one named substitute. No other substitutes are acceptable.
- The Sub Panel may wish to consider co-opting additional non-voting members onto it if appropriate.
- The Chairman to be elected from the County Council Members on the Sub Panel on an annual basis.
- The Vice Chairman to be elected from other members on the Sub Panel on an annual basis.
- The quorum for the Sub Panel will be five members
- Unless otherwise stated meetings of the Sub Panel will be held in accordance with Appendix 8 the County Council's Constitution.

APPENDIX 3

DELEGATIONS TO MEMBERS OF THE EXECUTIVE

This Appendix sets out the general areas of responsibility of each member of the Cabinet and those functions of the Executive which are carried by a Committee or individual member of the Executive.

1. Individual areas of responsibility

- 1.1 The Leader has allocated a “portfolio” to each Cabinet Member and delegated to each “Portfolio Holder” responsibility for the discharge of functions set out below:

Leader, and Governance & Strategy
Deputy Leader and Growing the Economy
Cabinet Member for Highways, Infrastructure & Transport
Cabinet Member for Environment and Waste
Cabinet Member for Adult Care, Public Health and Prevention
Cabinet Member for Finance
Cabinet Member for Communities and Partnerships
Cabinet Member for Children’s Services
Cabinet Member for Commercial Services and Asset Management
Cabinet Member for Innovation, Transformation and Performance

- 1.2 All Cabinet Members have the following delegations in relation to their portfolios and the service areas for which they are responsible,

- (a) To exercise the Executive powers and duties of the Council for strategic development, policy direction, partnership working, key decisions, programme and performance management, in accordance with the Council’s procedure rules, for their portfolio areas.
- (b) To be responsible for ensuring successful delivery of business transformation in relation to their portfolio areas
- (c) To request the relevant Select Committee to review changes to policy within these service areas
- (d) To make decisions on actions relating to contracts including:
 - (i) Awarding, assigning and terminating contracts over £1.25m
 - (ii) Waiving or granting exemptions to Contract regulations where contracts are over £1.25m

Deleted: as set out in Appendix 26.

2. Delegations to Committees and individual members of the Executive

Pursuant to the power contained in Article 7.7 the Leader has determined that the following functions of the Executive be exercised in the following ways:

- (a) *by a Committee (the Planning and Highways Delegations Committee) comprising of the Deputy Leader and the Cabinet Members for Highways, Transport & Infrastructure, Environment and Waste.* This Committee will exercise the following powers:
- (i) as County planning authority, or as Minerals and Waste planning authority, in responding to consultations (including whether to mount a legal challenge to a decision) by District Councils on major planning applications or to equivalent proposals, including nationally significant infrastructure projects & offshore proposals by other organisations;

- (ii) as highway authority, where the local Member disagrees with the proposal from the Executive Director of Community & Environmental Services to issue a recommendation of refusal on highway grounds
- (iii) as County planning authority, or as minerals and waste planning authority, in responding to District Councils on local plans at the various stages of consultation.
- (iv) to comment on the planning policy documents of other bodies including the Marine Management Organisation.
- (v) In the case of urgency, the County Council's response will be determined by the relevant Cabinet Member.

Except in the case of urgency, these powers will be exercised in consultation with a non-voting panel of representatives of the Planning Regulatory Committee, comprising the Chair and Vice-Chair of the Committee and the other group spokespersons.

In the event that the Cabinet Members cannot agree a resolution, the County Council's response will be determined by the Leader.

(b) by the Leader

- (i) making and revoking appointments to any office or outside body where the appointments are in connection with functions exercised by the Executive
- (ii) giving consent to appointments to Joint Committees which are made by the full Council

In any case where the appointment will include Members from the Opposition Groups, the Leader will first consult with the Leaders of those groups before making the appointments.

(c) by the relevant Cabinet Member(s) responsible for Highways, Transport and Infrastructure

To consider objections to the following Orders and proposals where either the local Member does not agree, or the Executive Director of Community & Environmental Services considers the scheme is contentious:

- (i) Traffic Regulation Orders, including experimental orders
- (ii) Traffic calming measures
- (iii) Footway conversion schemes
- (iv) Speed limits.

In respect of the route hierarchy and in conjunction with the Executive Director of Community & Environmental Services to exercise discretion in local signing at those sites where concern has been expressed.

(d) by the relevant Cabinet Member(s) responsible for Commercial Services and Asset Management

- (i) To agree property transactions involving individual acquisitions and disposals of land, buildings or other property interests where the consideration is between over £250,000 and up to and including £1.25M.
- (ii) To authorise the making of compulsory purchase orders in consultation with the relevant Cabinet Member.

APPENDIX 4

JOINT ARRANGEMENTS

1. The County Council has established the joint arrangements described below and for this purpose has joined in appointing the following Joint Committees:

Norfolk Joint Museums Committee
Norfolk Records Committee
The Eastern Shires Purchasing Organisation
PATROL

[Norfolk Parking Partnership](#)

[The LGPS ACCESS Joint Committee](#)

[Transforming Cities Joint Committee](#)

[Eastern Inshore Fisheries Company](#)

Deleted: Norwich Joint Highways Agency Committee

each of which exercise functions of the County Council under Section 101(5) of the Local Government Act 1972.

2. The membership, terms of reference and functions of the Joint Committees and the rules governing the conduct and proceedings of their meetings and the public's right of access to these meetings are set out below:

(a) NORFOLK JOINT MUSEUMS COMMITTEE

(i) MEMBERSHIP

Norfolk County Council
Breckland District Council
Broadland District Council
Great Yarmouth Borough Council
King's Lynn Borough Council
North Norfolk District Council
Norwich City Council
South Norfolk District Council

The County Council appoints 9 members, Norwich City Council 3 members and the remaining Councils 1 member each.

This Committee has also established Area Committees for Breckland, Great Yarmouth, King's Lynn and West Norfolk, North Norfolk and Norwich, each with a constitution and terms of reference to be such as the Joint Committee and the Councils may agree. In default of agreement, the constitution shall consist of 4 County Councillors and 4 members appointed by the relevant District Council. The Area Committees have power to co-opt up to 5 non-voting members.

(ii) TERMS OF REFERENCE

The Joint Museums Committee is responsible for:

- monitoring the effective operation of the Norfolk Museums and Archaeology Service within the available budget;

- advising all the participating Councils on the strategic framework for museums and archaeology in Norfolk;
- agreeing policies for the Norfolk Museums and Archaeology Service in accordance with national and local guidelines;
- acting as a forum for developing future strategy;
- agreeing the service plan in the light of the available annual budget;
- receiving the minutes of the Norfolk Museums and Archaeology Service Board for information;

The Area Committees shall:

- provide a detailed view of local museums and archaeological issues;
- agree the local service plan within the available budget and county-wide service plan;
- advise on the terms of any Service Level Agreement (SLA) with Norfolk Museums and Archaeology Service;
- monitor the local SLA;
- recommend proposals to the Joint Committee, e.g. museums development projects;
- agree an area museum strategy within the context of an approved Norfolk Museums and Archaeology Service strategy as far as possible to be consistent with and complementary to all other relevant strategies, e.g. heritage, leisure, tourism, arts, economic development;

(iii) FUNCTIONS

The Joint Museums Committee exercises the functions of the participating local authorities under Section 12 of the Public Libraries and Museums Act 1964 with regard to the provision and maintenance of museums and art galleries in their areas, except to the extent specifically provided for in the current agreement constituting the Committee dated 6 January 1999.

The functions of the Area Committees are set out under (ii) above.

(iv) RULES GOVERNING THE CONDUCT AND PROCEEDINGS OF MEETINGS

The conduct and proceedings of meetings of the Joint Museums Committee are governed by the rules relating to meetings of County Council Committees (see Appendix 8).

The standing orders of the relevant District Council apply to meetings of the Area Committees.

(v) RULES RELATING TO ACCESS TO MEETINGS

The right of the public to attend meetings of the Joint Museums Committee are set out in the Access to Information Procedure Rules in Appendix 13.

Rights of the public to attend meetings of the Area Committees are governed by the rules of the relevant District Councils.

(b) NORFOLK RECORDS COMMITTEE

(i) MEMBERSHIP

Norfolk County Council
Breckland District Council
Broadland District Council
Great Yarmouth Borough Council
King's Lynn Borough Council
North Norfolk District Council
Norwich City Council
South Norfolk District Council

The County Council and the City Council appoints 3 members each and the remaining District Councils 1 member each.

There are also non-voting members as follows:

Custos Rotolorum
A representative of the Bishop of Norwich
A representative of the Norfolk Records Society
3 co-opted members.

(ii) TERMS OF REFERENCE

The Norfolk Records Committee has the responsibility for carrying out the functions of the participating local authorities under the Local Government (Records) Act 1962 and for the control of the Norfolk Records Office with a view to ensuring as far as possible that:

- (a) storage and maintenance facilities are provided to it for archives relating to or deriving from the areas of the participating local authorities; and
- (b) there is at the Record Office an adequate means of reference to the archives and facilities are provided for the public to inspect and take copies of deposited documents

(iii) FUNCTIONS

The Norfolk Records Committee exercises functions of the participating local authorities under the Local Government (Records) Act 1962.

(iv) RULES GOVERNING THE CONDUCT AND PROCEEDINGS OF MEETINGS

The conduct and proceedings of meetings of the Norfolk Records Committee are governed by the rules relating to the meetings of County Council Committees (see Appendix 8).

(v) RULES RELATING TO ACCESS TO MEETINGS

The rights of the public to attend meetings of the Norfolk Records Committee are set out in paragraph 2 of the Access to Information Procedure Rules in Appendix 8.

(c) EASTERN SHIRES PURCHASING ORGANISATION (ESPO)

(i) MEMBERSHIP

Cambridgeshire County Council
Leicestershire County Council
Lincolnshire County Council
Norfolk County Council
Peterborough City Council
Warwickshire County Council

each represented at meetings of ESPO's Management Committee by 2 members.

(ii) TERMS OF REFERENCE

The objectives of ESPO are:

- (a) to improve the purchasing performance of its customers by making available to them a comprehensive professional purchasing service.
- (b) to maintain effective, efficient and commercially viable arrangements for the supply of goods and services by:
 - (i) negotiating terms for the supply of goods, materials and specialist services
 - (ii) purchasing, storing and distributing items in common use where this is practicable and cost effective
 - (iii) advising on standards, specifications, etc and such matters as EU procurement legislation
 - (iv) providing professional and technical expertise
 - (v) providing specialist services as required
 - (vi) investigating areas for joint purchasing
- (c) to achieve overall cost savings for member Councils by providing customers with a simple, effective system for the supply of goods whilst preserving full public accountability.

(iii) FUNCTIONS

ESPO exercises the functions of the participating local authorities associated with the purchase and supply of goods, materials and services.

(iv) RULES GOVERNING THE CONDUCT AND PROCEEDINGS OF MEETINGS

The rules of the Council which services ESPO apply. The servicing Council is currently Leicestershire County Council.

(v) RULES RELATING TO ACCESS TO MEETINGS

The rules contained in Part VA of the Local Government Act 1972 apply.

(d)

(e) **PARKING AND TRAFFIC REGULATION OUTSIDE LONDON ADJUDICATION JOINT COMMITTEE (PATROL)**

(i) MEMBERSHIP

The membership comprises a number of parking authorities across the country, including the County Council and Norwich City Council. The list of members grows as other parking

Deleted: NORWICH HIGHWAYS AGENCY JOINT COMMITTEE

(i) MEMBERSHIP

Norfolk County Council
Norwich City Council

each represented by two members. In addition, the Committee will be advised and assisted by three non-voting members from each of the two Councils.

(ii) TERMS OF REFERENCE

The overall responsibilities of the Norwich Joint Highways Agency Committee are:

- to oversee the operation of the highways and traffic functions delegated to Norwich City Council by the County Council
- to exercise certain functions delegated by the County Council direct to the Joint Committee
- to advise the County Council on various highways and traffic matters in Norwich

(iii) FUNCTIONS

The Norwich Joint Highways Agency Committee exercises a range of highways and transportation and associated functions of the County Council. These details are set out in the Agreement constituting the Joint Committee.

(iv) RULES GOVERNING THE CONDUCT AND PROCEEDINGS OF MEETINGS

The rules of Norwich City Council apply to the conduct and proceedings of meetings of the Norwich Joint Highways Agency Committee.

(v) RULES RELATING TO ACCESS TO MEETINGS

The rules contained in the Part VA of the Local Government Act 1972 apply.

authorities join this scheme. Each participating authority is represented at meetings of the Joint Committee by one representative.

(ii) **TERMS OF REFERENCE**

The objective of PATROL is to achieve:

- (a) a fair parking adjudication service for Appellants including visible independence of Adjudicators from the parking authorities in whose areas they are working;
- (b) consistency of adjudication across the service;
- (c) a cost effective and equitable adjudication service for all parking authorities in England and Wales in relation to whose area the Secretary of State has made an Order under paragraph 1(1) and 2(1) of Schedule 3 to the Road Traffic Act 1991;
- (d) flexibility to deal with a wide range of local authorities with varying levels of demand for adjudication.

(iii) **FUNCTIONS**

The general function of PATROL is to provide an adjudication service for parking authorities who have obtained Orders from the Secretary of State which decriminalise parking enforcement arrangements within their area. In this respect, NPASJC has a range of specific functions which are detailed in the Agreement constituting it.

(iv) **RULES GOVERNING THE CONDUCT AND PROCEEDINGS OF MEETINGS**

These are set out under Schedule 5 of the Memorandum of Participation in PATROL to which the Council is a party.

(v) **RULES RELATING TO ACCESS TO MEETINGS**

The rules contained in Part VA of the Local Government Act 1972 apply.

(f) NORFOLK PARKING PARTNERSHIP JOINT COMMITTEE

(i) **MEMBERSHIP**

Norfolk County Council
Great Yarmouth Borough Council
King's Lynn and West Norfolk Borough Council
South Norfolk District Council

Each Council shall be represented by one member, appointed by the respective Council. The Chair of the Joint Committee shall be the member for the County Council.

(ii) **ROLES AND RESPONSIBILITIES**

The detailed roles and responsibilities are set out in the Joint Committee's Terms of Reference. They include:

- To carry out through the Councils the functions as laid down in the legal Agreement for the Joint Provision of Civil Parking Enforcement Services and the Functions currently in force.

(iii) SCRUTINY ARRANGEMENTS

Each Council will undertake its own scrutiny role, as appropriate.

(iv) ADMINISTRATION

Meetings of the Joint Committee shall be held in public and its agendas and minutes will be published in accordance with the County Council's usual procedures.

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(g) LGPS ACCESS JOINT COMMITTEE

(i) MEMBERSHIP

Norfolk County Council
Cambridgeshire County Council
East Sussex County Council
Essex County Council
Hampshire County Council
Hertfordshire County Council
Isle of Wight Council
Kent County Council
Northamptonshire County Council
Suffolk County Council
West Sussex County Council

Each Council should be represented by one member of the respective Council. In Norfolk's case this will normally be the Chair of the Pensions Committee

(ii) ROLES AND RESPONSIBILITIES

These are set out in the Joint Committee's terms of reference contained in the Inter-Authority Agreement. They include procuring and managing an operator, appointing professional advisors and making recommendations to the Councils concerning Pool Assets

(iii) ADMINISTRATION

The Constitution of the Joint Committee is set out in the Inter-Authority Agreement entered into in July 2017

(h) TRANSFORMING CITIES JOINT COMMITTEE

(i) MEMBERSHIP

Norfolk County Council
Norwich City Council
Broadland District Council
South Norfolk District Council
New Anglia LEP (private sector representative from the LEP Board with a Greater Norwich connection)

The County Council appoints 4 members (one of whom will be the Cabinet Member with responsibility for transport), Norwich City Council 2 members and the remaining bodies 1 member each.

(ii) ROLES AND RESPONSIBILITIES

The Joint Committee shall:

- Make recommendations to the County Council's Cabinet on funding bids, including business cases
- Ensure that schemes are developed which deliver the objectives agreed as part of any business cases
- Ensure schemes are delivered within the available funding

(iii) ADMINISTRATION

Meetings of the Joint Committee are governed by the rules relating to meetings of Norfolk County Council Committees. Meetings of the Joint Committee shall be held in public and its agendas and minutes will be published in accordance with the County Council's usual procedures.

APPENDIX 5

(not included in this report – revised version already agreed by Council November 2020)

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APPENDIX 6

'PROPER OFFICER' PROVISIONS

Local Government legislation from time to time requires local authorities to appoint "Proper Officers" for specific purposes.

The officers listed in the third column of the table below have been designated by the Council as the Proper Officers for the functions listed against their name in the first and second columns:

Section/Act	Functions	Proper Officer
-------------	-----------	----------------

Section 234 of the Local Government Act 1972 (referred to below as the 1972 Act)	signing notices, orders and other documents	The Chief Officer or other officer responsible for the function which is the subject of the document. If there is no such officer, then the Head of Paid Service.
Section 83 (1) - (4) of the 1972 Act	Witness and receipt of declaration of acceptance of office	Head of Governance and Regulatory Services
Section 84 of the 1972 Act	Receipt of declaration of resignation	Head of Governance and Regulatory Services
Section 88 (2) of the 1972 Act	To convene meeting of County Council to fill vacancy in office of Chair	Head of Paid Service
Section 89 (1) (b) of the 1972 Act	Receipt of notice of casual vacancy from two local government electors	Head of Paid Service
Paragraph 4 (2) (b) and	Signature of summons to attend meetings	Head of Paid Service
Paragraph 4 (3) of Schedule 12 to the 1972 Act	Receipt of notices regarding address to which summons to meeting to be sent	Head of Paid Service

Local Government (Committees and Political Groups) Regulations 1990	Notification of political groups	Head of Governance and Regulatory Services
Section 35, Representation of the People Act 1983	Returning Officer for County Council elections	Head of Governance and Regulatory Services
Coroners & Justice Act 2009	Appointment of Coroner	Head of Governance and Regulatory Services
Section 146 (1) (a) & (b) of the 1972 Act	Declaration and certificates in respect of securities	Head of Governance and Regulatory Services
Section 210 (6) and (7) of the 1972 Act	Charity functions of holders of offices with existing authorities transferred to proper officer, if no equivalent officer	Head of Governance and Regulatory Services
Section 225 (1) of the 1972 Act	Deposit of documents – except documents deposited under Section 146 (6) and (7) of the Town and Country Planning Act 1990	Head of Governance and Regulatory Services
Section 229 (5) of the 1972 Act	Certificate of photographic copies of documents	Head of Governance and Regulatory Services
Section 236 (10) of the 1972 Act	To send copies of bylaws to each district council in the County	Head of Governance and Regulatory Services
Section 238 of the 1972 Act	Certification of bylaws	Head of Governance and Regulatory Services
Section 41 of the Local Government (Miscellaneous Provisions) Act 1976	Certification of reports and minutes	Head of Governance and Regulatory Services
Section 115 (2) of the 1972 Act	Receiving monies due from officers of the Council	Executive Director of Finance
Section 228 (3) of the 1972 Act	Inspection of Accounts	Executive Director of Finance

Section 191 of the 1972 Act	Function with respect to Ordnance Survey	Executive Director of Community and Environmental Services
Paragraph 28 of Schedule 16 to the 1972 Act	Receipt of deposit of lists of protected buildings	Executive Director of Community and Environmental Services
Section 59 (1) of the Highways Act 1980	Issuing certificates in respect of expenses due to extra-ordinary traffic	Executive Director of Community and Environmental Services
Section 205 (4) and Section 211 of the Highways Act 1980	Consultation with District Councils where improvement of private streets includes sewerage and making final appointments in respect of private street works	Executive Director of Community and Environmental Services

In addition, any reference in any legislation passed before or during the 1971 - 72 session of Parliament other than the Local Government Act 1972 or in any instrument made before 26 October 1972 to the Clerk to the Council which, by virtue of any provision of the said Act, is to be construed as a reference to the Head of Paid Service.

APPENDIX 7
COUNCIL PROCEDURE RULES
(not included in this report)

APPENDIX 8
COMMITTEE PROCEDURE RULES
(not included in this report)

CABINET PROCEDURE RULES**Meetings of the Cabinet**

1. Meetings of the Cabinet will be held on such dates and at such times and venues as the Leader will decide.
2. The Head of Governance and Regulatory Services will summon all Members of the Cabinet to meetings by sending an agenda and accompanying papers to all Members of the Cabinet. The agenda and papers will normally be sent out at least five clear working days before the meeting. The agenda and papers will be sent at the same time to all other Members of the Council.

Agendas

3. The agenda for each meeting of the Cabinet will comprise:
 - (a) Apologies for absence
 - (b) the minutes of the previous meeting for approval and signing
 - (c) declarations of interest
 - (d) matters referred to Cabinet by the Scrutiny Committee, Select Committees or by full Council
 - (e) public question time
 - (f) any local Member issues/questions raised by Members
 - (g) any non-local Member issues/questions raised by Members (to be taken at the Leaders discretion)
 - (h) issues and reports brought forward by the relevant Cabinet Member or Chief Officer
 - (i) any report by the Head of Paid Service, Director of Finance and Commercial Services or Monitoring Officer.
 - (j) such other items as the Leader decides
4. The Leader may decide that there are special circumstances that justify an item of business, not included on the agenda, being considered as a matter of urgency. They must state these reasons at the meeting and they must be recorded in the minutes.

Quorum

5. The quorum for a meeting of the Cabinet is the Leader (or the Deputy Leader in their absence) and five other Members.

Record of Attendance

6. Each Cabinet Member attending a Cabinet meeting must, with a view to securing the recording of their attendance sign the attendance sheet provided by the Head of Governance and Regulatory Services for that purpose. If any Member arrives and the attendance sheet has already been circulated, they must intimate their presence to the Head of Governance and Regulatory Services.

Chairing

7. The Leader (or the Deputy Leader in their absence) will be the Chair of meetings of the Cabinet.

Attendance Rights of Members

8. If a Cabinet Member is unable to attend a meeting of the Cabinet, they may nominate a Deputy Cabinet Member to attend in their place. These Members may attend and speak at meetings of the Cabinet but may not vote and are not Members of the Executive.
9. Subject to the Access to Information Procedure Rules and paragraph 10 and the Access to Information Rules, any Member of the Council may attend any meeting of the Cabinet, excluding those parts of the meeting when the public are excluded.

Member Questions

10. If a Member of the Council wishes to ask a question under 3(f) or (g) above, they must give 2 working days' notice of the question to the Head of Governance and Regulatory Services, e.g. by 5.00 p.m. on the Wednesday preceding a Cabinet meeting on Monday. The number of questions which can be asked at a meeting will be limited to two per Member (or one question plus a supplementary). Responses to the substantive questions will be given to the questioner in writing before the start of the meeting and copies of the question and response will be available to all in attendance. The responses to substantive questions will not be read out at the meeting. A questioner who asks only one substantive question will be entitled to ask a supplementary question and if they do so, a response to it will be given orally by the Chair, or such other Member or officer as is determined by the Chair. Supplementary questions are subject to a limit of 75 words. If a response to a supplementary question cannot conveniently be given orally, a written answer will be sent to the questioner within 7 working days of the meeting.
11. The total time for Member questions will be limited to 15 minutes. Member questions are subject to a maximum word limit of 110 words. Member questions that are in excess of 110 words will be disqualified. If the questioner is not present at the meeting or if any questions remain unanswered within that timescale, written responses will be sent to the questioners within 7 working days of the meeting.

Public Questions

12. A person resident in Norfolk, or who is a non-domestic ratepayer in Norfolk, or who pays Council Tax in Norfolk, may attend meetings of the Cabinet and, by giving two working days' notice, e.g. by 5.00 p.m. on the Wednesday preceding a Cabinet meeting on Monday, may ask any question on any matter in respect of Cabinet's delegated powers. Eligibility to ask questions at Cabinet does not extend to County Council employees asking questions relating to their employment.
13. The number of questions which may be asked at a meeting will be limited to one per person (or one plus a supplementary) in any six-month period. Substantive questions are subject to a maximum word limit of 110 words. Substantive questions that are in excess of 110 words will be disqualified. Responses to the substantive questions will be given to the questioners in writing before the start of the meeting and copies of the questions and responses will be available to all in attendance. The responses to substantive questions will not be read out at the meeting. A questioner who asks only one substantive question will be entitled to ask a supplementary question and, if they do so, a response to it will be given orally by the Chair. Supplementary questions are subject to a limit of 75 words. If a response to a supplementary question cannot conveniently be given orally, a written answer will be sent to the questioner within 7 working days of the meeting.
14. Public Question Time will be limited to 15 minutes in total. If the questioner is not present at the meeting or if any questions remain unanswered within that timescale, a written response will be sent to the questioner within 7 working days of the meeting.

Conduct of meetings

15. The Chair will conduct the business of the meeting so as to encourage decision by consensus.
16. Subject to the rules regarding the declaration of interests, every Member is entitled to express a view on each item of business.
17. Following debate, the Chair will summarise the discussion and formulate a proposition which they will put to the Cabinet for agreement. A vote will not be taken unless the Chair so decides but any Member who dissents from a decision of the Cabinet is entitled to have that dissent recorded in the minutes, provided this request is made immediately upon the decision having been taken.
18. If necessary to maintain an orderly discussion, the Chair may:
 - (a) require a vote to be taken by a show of hands
 - (b) restrict the number of times any Member may speak

- (c) restrict the length of speeches
- (d) adjourn the discussion to a later meeting
- 19. In the event of a vote being taken and the votes for and against being equal, the Chair has a second or casting vote.
- 20. If necessary to maintain order, the Chair may:
 - (a) with the consent of the Cabinet, require a Member of the Cabinet, Council or the public to leave the room
 - (b) may direct a Member to be silent
 - (c) may adjourn or terminate the meeting.

Public Misconduct

- 21. If a member of the public interrupts a meeting or otherwise behaves irregularly, improperly or offensively, the Chair may request that they leave the room or order that they be removed. In the event of a general disturbance, the Chair may suspend the meeting or direct that the public be excluded from it. No one so removed or excluded will be permitted to return to the meeting.

Discussion of Employees

- 22. No discussion will take place concerning an individual employee unless the Chair has decided whether to discuss the matter in public or private session.

Provisions on conflicts of interest

- 23. Where the relevant Member has a Disclosable Pecuniary Interest in a matter to be considered at the meeting and that interest is on the Register of Interests, they must not speak or vote on the matter. If they have a Disclosable Pecuniary Interest in a matter to be considered at the meeting and that interest is not on their Register of Interests they must declare that interest at the meeting and not speak or vote on the matter. In either case they may remain in the room where the meeting is taking place. If they consider that it would be inappropriate in the circumstances to remain in the room, they may leave the room while the matter is dealt with.
- 24. Where a matter arises at a meeting which relates to or affects an 'Other Interests' the relevant Member must declare the existence and nature of the interest unless it has been entered in the County Council's register of interests.
- 25. An 'Other' interest is one which affects, to a greater extent than others in their division the relevant Member's:
 - own wellbeing or financial position or
 - that of family or close friends
 - any body –
 - (a) exercising functions of a public nature

- (b) directed to charitable purposes; or
- (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union);

of which the Member is in a position of general control or management

26. Where an 'other interest' arises, the relevant Member will declare an interest (an "Other Interest") but may speak and vote on the matter.

Interpretation of Rules of Procedure

27. The ruling of the Chair as to the construction or application of the Rules or as to any proceedings of the Cabinet will be final for the purposes of the meeting at which it is given.

APPENDIX 10
OVERVIEW AND SCRUTINY PROCEDURE RULES
(not included in this report)

APPENDIX 11
COUNCILLOR CALL FOR ACTION (CCfA) GUIDANCE

Commented [EH19]: No changes proposed

1.0 What is a Councillor Call for Action (CCfA)?

- 1.1 Councillor Calls for Action were introduced by section 119 of the Local Government and Public Involvement in Health Act 2007 ('the Act'). They are one of a number of measures aimed at empowering local people and communities, improving local democracy and accountability and strengthening the role of Councillors as community leaders and advocates.
- 1.2 A CCfA gives powers to Councillors to help them tackle local problems on behalf of their constituents by calling for consideration of any issue of concern affecting their division by the Scrutiny Committee, including the Health Overview and Scrutiny Committee.
- 1.3 Section 119 of the Act inserts a new section 21A into the Local Government Act 2000 which enables any Member of the authority to refer any local government matter to the Scrutiny Committee, whether or not the Member is a member of that committee, and to have this matter discussed at a meeting of the committee. A "local government matter" is defined as a matter which:
- relates to the discharge of any function of the authority,
 - affects all or part of the electoral area for which the Member is elected or any person who lives or works there, and
 - is not an excluded matter (see section 5 below)
- 1.4 Section 126 of the Act makes provision for CCfA's on crime and disorder matters – see section 3 below.

2.0 Existing provisions in the County Council's Constitution

- 2.1 The County Council's constitution allows a wide remit for the Scrutiny Committee. Article 6 provides that:

The Council appoints the Scrutiny Committee from among the non-executive Members of the Council to review or scrutinise decisions made or other action taken in accordance with:

- any functions which are the responsibility of the Executive, including decisions made/actions taken directly by the Executive itself and those decisions/actions delegated to Chief Officers and individual Members of the Executive; and
- any functions which are not the responsibility of the Executive.

The Scrutiny Committee may make reports or recommendations to either the Cabinet or to the County Council with respect to:

- the discharge of any functions which are the responsibility of the Executive;
- the discharge of any functions which are not the responsibility of the Executive; or
- matters which affect Norfolk or its inhabitants.

3.0 Crime and disorder matters

3.1 Section 19 of the Police and Justice Act 2006, as amended by section 126 of the Local Government and Public Involvement in Health Act 2007, requires every local authority to have a crime and disorder committee with the power to review and scrutinise, and make reports and recommendations, regarding decisions made or other action taken by the responsible authorities in connection with the discharge of their crime and disorder functions. For Norfolk, these “responsible authorities” are:

- the County Council
- District councils
- Norfolk and Suffolk Community Rehabilitation Company
- the Chief Constable for Norfolk Constabulary
- Health – Clinical Commissioning Groups
- Norfolk Fire and Rescue Service

3.2 At the County Council, the Scrutiny Committee will act as the designated Crime and Disorder Committee.

3.3 Section 126 of the Local Government and Public Involvement in Health Act 2007 provides for any Member to refer any local crime and disorder matter to the Crime and Disorder Committee and have it discussed at a meeting of the Committee. A “local crime and disorder matter” is defined as a matter concerning:

- crime and disorder (including in particular forms of crime and disorder that involve anti-social behaviour and other behaviour adversely affecting the local environment), or
- the misuse of drugs, alcohol and other substances,

which affects all or part of the electoral area for which the Member is elected or any person who lives or works in that area.

3.4 Where the crime and disorder committee makes a report or recommendations in response to a CCfA, it must provide a copy to any of the responsible authorities for crime and disorder (see section 3.1.above) or any other individuals or bodies as it considers appropriate. Any organisation or individual who is provided with such a report or recommendations has a duty to:

- consider the report or recommendations
- respond to the crime and disorder committee indicating what (if any) action it proposes to take
- have regard to the report or recommendations in exercising its functions

4.0 Before making a Councillor Call for Action

4.1 Guidance makes it clear that CCfA's are intended as a last resort, to be used when all other means of resolving an issue have proved to be unsuccessful. As a minimum, it is expected that the Councillor concerned will have satisfied themselves that the issue is not an excluded matter (see section 5 below), and has approached at least the following to seek a resolution:

- any relevant local service manager
- any relevant partnership bodies or local groups
- the relevant Cabinet Member
- the relevant District Councillor(s)

5.0 What a Councillor Call for Action should NOT be used for

5.1 The following matters are "excluded matters" that cannot be the subject of a Community Call for Action:

- Any matter relating to a licensing or planning decision.
- A matter relating to an individual or entity where there is already a statutory right to a review or appeal (other than the right to complain to the Commission for Local Administration in England – otherwise known as the Local Government Ombudsman).
- A matter which is vexatious, discriminatory or not reasonable to be on the agenda for, or discussed at, a meeting of the Scrutiny Committee.

5.2 However, a matter which consists of an allegation of systematic failure of an authority to discharge a function for which the authority is responsible may be referred to the Scrutiny Committee, notwithstanding the fact that the allegation specifies matters which are outlined in paragraph 5.1 above.

6.0 The CCfA process at Norfolk County Council

6.1 The same process will apply irrespective of whether the CCfA concerns a "local government matter" or "a crime and disorder matter".

6.2 Notice of a CCfA should be sent in writing to the Head of Governance and Regulatory Services . Such notice should include the following information as a minimum:

- A summary of the issue involved
- What outcomes the local Member is hoping to achieve

- Action already taken, including details of people and organisations already contacted and why this has failed to resolve the issue
- Key dates or timescales, if relevant

The CCfA should be accompanied by any other supporting information, having regard to confidentiality and Freedom of Information issues.

6.3 On receipt of a CCfA, the Head of Governance and Regulatory Services will, as appropriate:

- Establish that the subject of the CCfA is not an excluded matter
- Advise the Member concerned of other possible means of resolving the issue or other information requirements

6.4 Legitimate CCfA's will be referred by the Head of Governance and Regulatory Services to the Chairman of the Scrutiny Committee and the supporting officer(s). Where the Head of Governance and Regulatory Services considers the matter to be urgent, it will also be placed on the agenda for the next meeting of that committee. If the matter is not considered urgent, it will be placed on the scrutiny work programme for the next meeting so a way forward and timescale for its consideration can be agreed by the full committee.

6.5 Whilst it is not a requirement, it is expected that the Member making the CCfA will attend the committee meeting to introduce the issue and answer any questions.

6.6 Where a CCfA is listed as a separate agenda item on a committee's agenda, it will be considered as a scrutiny item and the usual processes will be followed e.g. the relevant Cabinet Member(s) and any other internal or external stakeholders will be invited, and reports requested, as appropriate.

6.7 Copies of any reports or recommendations made by the Scrutiny Committee in response to a CCfA must be provided to the Member who initiated it. Similarly, where a Committee decides not to make a report or recommendations, it must notify the Member concerned of its decision and the reasons for it.

7.0 Involvement of external partners

7.1 The 2007 Act gives the Scrutiny Committee of the County Council greater powers to scrutinise services outside of the Council and to require a response from the providers of those services (see sections 1.4 and 3.1 above). It is important that this scrutiny takes place in an atmosphere of informed trust and co-operation.

APPENDIX 12

BUDGET AND POLICY FRAMEWORK PROCEDURE RULES

(not included in this report)

APPENDIX 13

ACCESS TO INFORMATION PROCEDURE RULES

(not included in this report)

APPENDIX 14

OFFICER EMPLOYMENT PROCEDURE RULES

These rules incorporate the standing orders required by Regulation 3(1) and Part II of Schedule 1 and Regulation 6/Schedule 3 of the Local Authorities (Standing Orders) (England) Regulations 2001.

1. RECRUITMENT AND APPOINTMENT (GENERAL)

1.1 DECLARATIONS

- ① The Council will draw up a statement requiring any candidate for appointment as an officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of any existing Councillor or officer of the Council; or of the partner of such persons. Every Member and Senior Officer of the Council must disclose to the Head of Paid Service any relationship known to them to exist between themselves and any person whom they know is a candidate for an appointment under the Council. The Head of Paid Service or Chief Officer must bring any such disclosure to the attention of the Chair of the Employment Committee.
- ① No candidate so related to a Councillor or an officer will be appointed without the authority of the relevant Chief Officer or an officer nominated by them.

1.2 SEEKING SUPPORT FOR APPOINTMENT

- ① Subject to paragraph (iii) the Council will disqualify any applicant who directly or indirectly seeks the support of any Councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
- ① Subject to paragraph (iii) no councillor will seek support for any person for any appointment with the Council.
- ① Nothing in paragraphs (i) and (ii) above will preclude a Councillor from giving a written reference for a candidate for submission with an application for appointment.

2. RECRUITMENT OF HEAD OF PAID SERVICE AND SENIOR OFFICERS

For the purposes of this Part of the Constitution, a list of Senior Officers is provided in Part A of the Appendix.

Where the Council proposes to appoint the Head of Paid Service or a Senior Officer and it is not proposed that the appointment will be made exclusively from among their existing officers, the Director for People will: -

- (a) draw up a statement specifying:

- (i) the duties of the officer concerned; and
 - (ii) any qualification or qualities to be sought in the person to be appointed;
- (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
 - (c) make arrangements for a copy of the statement mentioned in paragraph (a) to be sent to any person on request.

3. APPOINTMENT OF HEAD OF PAID SERVICE

- (a) The full Council will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by an Appointment Panel appointed for this purpose by the Employment Committee. The Appointment Panel must interview all qualified applicants for the post or select a short list of such qualified applicants and interview those included on the short list. The Panel must be politically balanced but will not count in the overall allocation of seats to political groups because of its ad-hoc nature.

4. APPOINTMENT OF SENIOR OFFICERS

- (a) An Appointment Panel will appoint Senior Officers. The Panel will be appointed for this purpose by the Head of Paid Service in consultation with the Group Leaders and must be politically balanced. The Panel may comprise or include some or all the members of the Employment Committee.

5. OTHER APPOINTMENTS

- (a) The appointment of officers other than as provided above, and other than assistants to political groups, is the responsibility of the Head of Paid Service or their nominee and may not be made by Councillors. In this respect they have arranged for Chief Officers to exercise this function in respect of such staff within their Department (see para 12 of the table below).

It may be appropriate in some cases for Members to meet candidates in an informal environment. It may also be appropriate in limited circumstances for the relevant Committee Chair to speak with the head of department about the person specification prior to the post being advertised.

A list of posts for which such informal arrangements would be appropriate is provided in Part B of the Appendix.

- (b) The recruitment of assistants to political groups will be carried out in accordance with the Council's proper processes but appointments will be made in accordance with the wishes of the political group to which the post has been allocated.

6. DISCIPLINARY ACTION IN RESPECT OF THE HEAD OF PAID SERVICE, CHIEF FINANCE OFFICER AND MONITORING OFFICER:

Any disciplinary action in respect of the Head of Paid Service, Chief Finance Officer and Monitoring Officer will comply with the Local Authorities (Standing Orders) (England) Regulations 2001 as amended by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

7. DISCIPLINARY ACTION IN RESPECT OF SENIOR OFFICERS

- (a) The Head of Paid Service will be responsible for taking disciplinary action in respect of Senior Officers including their dismissal.
- (b) The Council's Disciplinary Procedure will apply, except in the case of disciplinary action in respect of the Chief Finance Officer or Monitoring Officer. The Head of Paid Service will consult the Director of People and the Director of Governance as to any disciplinary process or proposed disciplinary action relating to Senior Officers.

8. DISCIPLINARY ACTION IN RESPECT OF OTHER STAFF

Disciplinary action against or the dismissal of other staff will only be taken by the Head of Paid Service or their nominee. In this respect they have arranged for Chief Officers to exercise these functions in respect of such staff within their Departments (see para 8 of the table below).

Councillors will not be involved in disciplinary action against or the dismissal of any officer except (a) as provided in the Regulations referred to in Section 6 above, (b) where such involvement is necessary for any investigation or inquiry into alleged misconduct, in the case of political assistants (where such action will be taken after consultation with the relevant Group Leader).

9. OFFICERS DELEGATED POWERS IN RESPECT OF STAFFING MATTERS

- (a) The Council has arranged for Chief Officers and the Director for People to take the decisions in respect of the employment of officers set out in the table below. In addition, Chief Officers may authorise officers in their Departments to exercise the powers set out in the table on their behalf.
- (b) In addition, Managers are authorised to make other day to day operational decisions on the management of their staff in accordance with the relevant procedures and conditions of employment, taking advice from the Director for People and any other specialist advisers as necessary.

Powers Delegated	Chief Officer(s) Exercising Powers Delegated
Salaries and Wages and General Conditions of Service	
1. To implement national agreements, except discretionary clauses not related to previous decisions taken by committees.	Director for People, and appropriate Chief Officer(s).
2. To determine gradings of posts (other than Senior Officer posts and reviews involving significant numbers of posts or where the changes give rise to significant cost implications).	For employees subject to the Conditions of Service of the National Joint Council for Local Government Services, the Director for People in accordance with grading policy and arrangements agreed as part of Modern Reward Strategy. For other categories of employees, the relevant Chief Officer subject to the Chief Officer consulting the Director for People
3. To adjust locally agreed rates of pay provided any proposed adjustment follows closely adjustment agreed to national rates which existed prior to the local determination.	Director for People
4. To determine annual pay awards for Centrally Employed Teachers within the framework provided by the national School Teachers' Pay and Conditions Document	Executive Director of Children's Services, in consultation with the Director for People
5. To exercise discretionary powers with regard to the Local Government Pension Scheme, within the policy framework agreed by the County Council.	Director of Governance, with Director for People.
6. To determine pay awards for Coroners within the framework provided by the national Joint Negotiating Committee for Coroners.	Head of Governance and Regulatory Services in consultation with Director for People.

Miscellaneous Staffing Matters	
7. To recognise the contribution of staff over and above their contracted role in accordance with the Council's Recognition policy.	Director for People
8. To reimburse in whole or part, as considered appropriate, but subject to a maximum amount of £2,500 , the amount of any fines and necessary legal costs incurred by employees in relation to Council business, where an infringement of the criminal law is alleged without any personal fault on the part of the employee concerned.	Appropriate Chief Officer in consultation with the Director of Governance.
9. To make loans to employees for the acquisition of houses in accordance with an approved scheme.	Director for People in consultation with Executive Director of Finance & Commercial Services
10. In consultation with all Party Leaders, to enhance the maximum amount payable under the relocation scheme up to £15,000 if it is considered necessary in order to be able to make an effective appointment.	Director for People.

APPENDIX

Part A

Senior Officers for the purposes this section of the Constitution:

Executive Director of Children's Services
Executive Director of Adult Social Services
Executive Director of Community and Environmental Services
Executive Director of Finance and Commercial Services
Executive Director of Strategy and Governance
Director of Public Health
Chief Fire Officer
Director of Governance and Monitoring
Officer
Head of Communications

This list will be updated from time to time to reflect changes to posts.

Part B

Members may be involved informally with the appointment of officers who report directly to Executive Directors and who have a lead role for a service.

Or

Members may be informally involved in appointments to the following posts

Lead Officers responsible for:

Adult Social Work and Health:

- Early Help and Prevention
- Social Work
- Commissioning
- Service Delivery

Children's Services:

- Education
- Children's Social Work
- Early Help
- Quality and performance

CES:

- Highways
- Transport
- Cultural Services

Deleted: Head of Governance and Regulatory Services ¶
Head of Information Management and Technology ¶
Director of Procurement ¶
Assistant Director of Growth and Development¶

- Environment
- Planning
- Economic Development

Finance and Commercial Services:

- Property
- Budgeting and Financial Management
- Pensions Management and Treasury

Strategy and **Transformation**▼

- Human Resources
- Communications
- Intelligence and Analytics
- Strategy

Deleted: Governance

Appendix 15

FINANCIAL REGULATIONS

(not included in this report – revised version already agreed by Council November 2020)

Appendix 16

CONTRACT STANDING ORDERS

(not included in this report – revised version already agreed by Council November 2020)

APPENDIX 17

(not included in this report – a Final Model Code of Conduct has been issued by the LGA and will be considered by Standards Committee on 18 January 2021)

APPENDIX 18

PLANNING PROCEDURES - CODE OF BEST PRACTICE

Commented [EH20]: No changes proposed

1. INTRODUCTION

- 1.1 This is a Code of Best Practice for dealing with planning applications and related matters. It takes account of the recommendations of the Third Report of the Nolan Committee and the guidance produced by the Local Government Association as well as drawing on the County Council's own experience in these areas including the views of the Standards and Planning Regulatory Committees.
- 1.2 The aim of the Code is to give clear guidance to County Council Members and officers on how they deal with planning matters. In doing so, it should also seek to ensure that the public have confidence that the decision making of the County Council is open and fair.
- 1.3 The majority (90%) of planning matters are normally dealt with by officers under delegated powers. Only the most controversial and contentious matters are determined through the County Council's Planning Regulatory Committee. This Code applies whoever takes the decision.
- 1.4 This Code applies to appointed members of the Planning Regulatory Committee and substitutes drawn from the nominated panel. References in the Code to Committee members therefore include substitutes and even the full Council if they take the planning decision.
- 1.5 The Code applies to the full range of planning matters determined by the County Council.
- 1.6 Failure to follow recommendations contained in this code could be considered in investigations into allegations of maladministration and might also indicate a breach of the Members Code of Conduct in Appendix 17 of the Constitution.

2. DECLARATION OF INTERESTS

- 2.1 The provisions of the Members Code of Conduct relating to interests are in Appendix 17 of the Constitution.
- 2.2 There will be a standing item on the agenda of all committees to facilitate the declarations of interest.

- 23 To assist Councillors in this difficult area training will be provided in accordance with this code.

3. PRE-DETERMINATION

- 3.1 It is a well understood principle that judicial and quasi-judicial decisions must not only be taken in a fair and unbiased way but must be seen to be so. Although planning committees are not quasi-judicial but administrative, the tendency of the courts has been to apply similar principles to planning committees.
- 3.2 Where applications are considered for County Council development or development on County Council Land those members of the Committee who have participated in the decision to apply for permission will declare that fact and not take part in the determination.
- 3.3 Where an external body, including a school, makes, initiates or is closely involved with an application for planning permission and members of the Committee (or their family members) serve on that body then the Committee member must declare an interest and not take part in the determination.
- 3.4 Where a member of the Committee serves on a Parish, Town or District Council which has commented on an application before the Committee, provided the member has not come to a final view on all the relevant matters before the Committee then they will declare that fact but may take part in the determination. If they have participated in a meeting on the application at Parish, Town or District level they should have it minuted at that meeting that they have not come to a final conclusion on the application.
- 3.5 Where however in the situation referred to in paragraph 3.4 such members have already decided in their own minds how the application should be decided then they must declare an interest and not take part in the determination.

4. DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

- 4.1 The County Council fully recognises that proposals by serving Councillors and officers and their close friends and relations can easily give rise to suspicion of impropriety. In order to ensure that they are handled in a way that gives no grounds for accusations of favouritism:
- a) the Director of Governance will be informed of such proposals.
 - b) such proposals will be reported to the Planning Regulatory Committee for decision and not dealt with by officers under delegated powers. As part of the report the Director of Governance will confirm whether the proposal has been processed normally.
 - c) serving Councillors who act as agents for people pursuing a planning matter or who submit planning proposals in their own right must play no part in the decision-

making process for that proposal.

- d) persons who are employed as planning agents should not serve as members of the Committee.

- 42 An application on the agenda relating to development by a member is likely to be a disclosable pecuniary interest or other interest and the Member needs to consider whether they should declare the interest and withdraw from the room during consideration of the matter.

5. COUNTY COUNCIL DEVELOPMENT

Proposals for the County Council's own development and that of wholly owned companies will be treated in the same way as those of a private developer particularly in relation to officers' advice, which must be impartial.

6. LOBBYING OF AND BY COUNCILLORS

- 6.1 The County Council recognise that lobbying is a normal and perfectly proper part of the political process. The third report of the Nolan Committee noted that it was essential for local concerns to be properly ventilated and the best way to do this was through the local elected representative. However, lobbying can lead to the impartiality and integrity of a Councillor being called into question and in a number of cases lobbying has caused considerable public mistrust of Councils. As a result: -

- a) when being lobbied, Councillors, and members of the Planning Regulatory Committee in particular, should take care about expressing an opinion which may be taken as indicating that they have already made up their mind on the issue before it has been exposed to all the evidence and arguments.
- b) rather, they should restrict themselves to giving procedural advice, including suggesting to those who are lobbying that they should speak or write to the relevant Planning Officer in order that their views can be reported to the Planning Regulatory Committee.
- c) if Committee members do express an opinion then they should make it clear that they will only be in a position to take a final decision after having heard all the relevant evidence and arguments at the Planning Regulatory Committee.
- d) members of the Committee other than those who are Councillors for the affected Division(s) - for which see paragraph (e) - should not openly declare which way they intend to vote in advance of the Committee meeting and of hearing the evidence and arguments on both sides.
- e) a Planning Regulatory Committee member who represents a Division affected by an application is in a difficult position if it is a controversial matter around which a lot of lobbying takes place. If the Member decides to go public in support of a particular outcome - or even campaigns actively for it - it will be very difficult for that Member to argue convincingly when the Committee comes to take its decision that they have carefully weighed the evidence and arguments presented. In those

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circumstances, because of the issue of predetermination the proper course of action would be for the Member to declare an interest and not vote. The arrangements for public speaking include an opportunity for the Division Member to make representations

Similarly, a Planning Regulatory Committee member who decides to go public in support of a particular outcome for a planning matter which does not affect that Member's Division should not speak or vote on that matter when it comes before the Committee.

62 In addition:

- a) Councillors should not put pressure on officers for a particular recommendation.
- b) Councillors should not mutually agree with one another on how to vote on particular planning matters.
- c) Councillors should pass any relevant written information which they receive to officers so that it can be reported or responded to.

63 The essential point is that decisions on planning applications should be taken in a fair and open manner, in the meeting and on the evidence presented to the meeting.

7. GROUP MEETINGS

A protocol for group meetings is attached as Annex 1 to this code.

8. PRE-APPLICATION DISCUSSIONS

8.1 The County Council recognise that discussions between a potential Applicant and the County Council prior to the submission of a planning application - and even after its submission - can be of considerable benefit to both parties. However, it would be easy for such discussions to be seen to become part of the lobbying process. To avoid this, the County Council have agreed that all pre-application discussions should take place within the following guidelines:

- a) It should always be made clear at the outset that the discussions will not bind the County Council to making a particular decision and that any views expressed are personal and provisional.
- b) Any advice should be consistent and based upon the Development Plan and material considerations. In addition, all officers taking part in such discussions should make it clear whether or not they are the decision maker.
- c) A written note should be made of all pre-application discussions. At least one officer should attend such meetings and a follow up letter is advisable at least when documentary material has been left with the County Council. A note should also be taken of pre-application telephone discussions. However, information shared at pre-application discussions should only be placed on the planning register if it is not considered to be confidential.
- d) Care must be taken to ensure that advice is, and is seen to be, impartial; otherwise a subsequent report could appear to be advocacy of a particular case.

8.2 Councillors and officers should avoid indicating the likely outcome of a decision. However, an officer whilst clearly making no commitment may on the basis of the structure and local plans and policy documents give information on the likely planning issues that would need to be addressed.

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- 8.3 These guidelines apply equally to meetings called by third parties, such as Parish Councils, to discuss planning applications.

9. OFFICER REPORTS TO COMMITTEE

- 9.1 Committee reports on planning proposals will comply with the following guidelines:

- a) Reports should be accurate and cover, amongst other things, the substance of objections and the views of consultees. (There will be an Agenda note to say where full copies of third party representations and views of consultees may be inspected).
- b) Relevant points will include a clear exposition of the development plan, the site or related history and any other material considerations.
- c) The report should have a clear recommendation; oral reporting by officers (except to update a report or to report on late response from Committees) should be extremely rare and carefully minuted when it does occur.
- d) Reports should contain a technical appraisal which clearly justifies a recommendation.
- e) If the report's recommendation is contrary to the provisions of the development plan, the material considerations which justify this must be clearly stated.

- 9.2 Applicants or third parties who wish to bring matters to the attention of the Committee should do so in good time so that they can be incorporated in the written Committee Report. Information submitted less than 48 hours before the committee sits may not be seen until after a decision has been made and therefore not considered when determining the application. Similarly, the Chair may refuse to entertain material submitted for circulation on the day of the committee.

10. PUBLIC SPEAKING AT PLANNING (REGULATORY) COMMITTEE

The County Council has procedures for public speaking at the Committee. These are set out at section (A) of Appendix 28 of the Constitution

11. DECISIONS CONTRARY TO OFFICER RECOMMENDATION AND/OR THE DEVELOPMENT PLAN

- 11.1 The Law requires that where the Development Plan [i.e. the approved Minerals and Waste Plan and relevant Local and neighbourhood Plan(s)] is relevant, decisions must be taken in accordance with it, unless material considerations indicate otherwise. The personal circumstances of an Applicant will very rarely be a relevant consideration.
- 11.2 It follows that if the officer's report recommends approval of a departure, the justification for this should be included in full within the Report.
- 11.3 In addition, where the Planning Regulatory Committee is minded to take a decision contrary to the officer's recommendation, they should first give the officer the opportunity to explain the implications of the contrary decision.

11.4 If the Committee then makes a decision contrary to the officer's recommendation, the minutes should clearly state the reason(s) why, and a copy placed on the application file.

11.5 A Senior Legal Officer will always attend meetings of the Planning Regulatory Committee to ensure procedures are properly followed.

12. COMMITTEE SITE VISITS

12.1 Site Visits can cause delay and should therefore only be used where the expected benefit is substantial, e.g. where the visit will significantly assist the Committee's understanding of the issues or in controversial cases or where it will demonstrate to the public or the applicant that Members have listened to their argument. The reason for the site visit should be minuted.

12.2 The purpose of a visit is to make a 'tour of inspection' by Members accompanied by an officer(s) who will point out any relevant issues and areas of interests/importance. It is not a meeting where any decisions will be made, or a formal minute written. Decisions will be taken at the next appropriate formal meeting of the Planning Regulatory Committee. However, a note will be drafted, and placed on file of salient issues and points such as:

Date, Venue, Attendance, Duration, Locations Inspected, Issues Addressed

12.3 Invitations to the visit will be extended to other parties as appropriate, e.g.:

The District Council Parish Council

Local Member (where not a Member of the Committee)

The Applicant

Representatives of the objector(s)/supporters (where relevant)

Appropriate Consultees

These invitations will be sent out by the Head of Governance and Regulatory Services.

12.4 The visit will be chaired by the Chair (agreed or substitute) of the Planning Regulatory Committee. It will be at their discretion whether to allow those invited to the site visit to address the Members and this will be based on speaking on specific issues previously raised in writing. The Chair will need to ensure that parties are each treated fairly and equitably, and the appropriate standards of propriety are seen to be adhered to.

12.5 Members should avoid separate discussions with objectors or applicants during the visit and should not make unaccompanied site visits.

12.6 A substitute who attends the site visit should, if not substituting at the subsequent committee meeting when the application is determined, fully brief the committee member attending the committee meeting. The observations made by the substitute to the sitting member should be recorded in the minutes.

- 127 If a substitute who attended the site visit attends the subsequent committee with the sitting member (but is not voting) then the substitute should be given the opportunity to make comments to the meeting on the site visit.

13. REGULAR REVIEW OF DECISIONS

- 13.1 As part of the Members training programme the Planning (Regulatory) Committee will from time to time visit the sites of implemented planning permissions to assess the quality of decisions made.

14. TRAINING

- 14.1 It is recognised that the planning system is complex, ever-changing and therefore essential that Councillors have adequate and regular training.
- 14.2 Training for members of the Committee (and substitutes) will take the form of mandatory and non-mandatory (but desirable) sessions. The mandatory training session consists of a half-day session which addresses the role of the committee. Before serving on the committee, Councillors must attend the session and must attend a "refresher" session on an annual basis while they serve on the committee. Shorter, 45-minute (non-mandatory) sessions will be provided prior to each planning committee. As much notice will be given of the training sessions as possible. The training programme will be the responsibility of the Executive Director of Community and Environmental Services in consultation with the Director of Governance.

15. COMPLAINTS AND RECORD KEEPING

- 15.1 If a member of the public or an applicant wishes to complain about the County Council's treatment of a planning application, then in the first instance they should contact the Executive Director of Community and Environmental Services in County Council. The complaint will be investigated, and an answer given. If the complainant is not satisfied with the answer, the complaint should be put in writing to the Executive Director of Community and Environmental Services, if possible using the County Council's customer complaint form. They will investigate the complaint and provide a written response. If this is still unsatisfactory, the complainant should write to the County Council's Head of Paid Service who will carry out an internal review independent of the Community and Environmental Services Department.
- 15.2 So that complaints can be fully investigated and, in any case, as a matter of general good practice, record keeping will be complete and accurate. Every planning application file should contain an accurate account of events throughout its life, with particular care being taken with regard to applications that are likely to be determined under officers' delegated powers. Such decisions should be as well documented and recorded as those taken by Members.
- 15.3 Decisions taken by officers under delegated powers will be exercised in an accountable way which will include placing on the file written justification for the exercise of the powers in a particular way.

ANNEX 1

PROTOCOL FOR GROUP MEETINGS

1. Political Groups represented on the County Council may wish to hold pre-meetings prior to meetings of the Planning (Regulatory) Committee. In principle there is nothing wrong with this, but it is important that Members understand their purpose and that there must be no grounds for those interested in planning applications, be they the applicants or objectors, to misunderstand what happens in them.
2. This protocol therefore affirms that the purpose of the Group Meetings is for Group Spokespersons to feed back to the members of their Group on the Committee (or their official substitutes for that meeting) on relevant issues arising from their own briefings with officers. On this basis, the only persons who may be present at them are members of the Committee (or their official substitutes for that meeting) who will be attending the Committee Meeting which immediately follows. In particular, Local Members and those on the Panel of Substitutes who will not be substituting at that particular meeting will not attend except that substitutes may attend for training purposes.
3. There are existing procedures for Local Members to feed into the Committee any comments which they may have on an application. Provided these comments are received before the finalising of the Committee Report, normally 2 weeks before the meeting, they will be incorporated in it. In addition, there is an opportunity for Local Members to speak at the Committee Meeting itself. However, Local Members may occasionally wish to make their additional comments in writing and to deal with this it is proposed that a note be circulated to all Members of the Committee in time for any Group meetings incorporating any additional views from the Local Member together with details of any further written representations received from other interested parties. The Chair or one of the officers will also refer to these additional comments during the introduction of the report.

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**GIFTS AND HOSPITALITY –
A CODE OF CONDUCT FOR MEMBERS**

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Introduction

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The acceptance of gifts and hospitality by Councillors is not merely an administrative issue. It reflects directly upon the perception of Councillors and of the County Council as acting in the public interest or as acting for the personal advantage or friends and for what personal benefit Councillors can get out of their position.

¶

A Member must within 28 days of receiving any gift or hospitality over the value of
£25 in their capacity as a County Councillor, provide written notification to the Chief Legal Officer of the existence and nature of that gift or hospitality. Failure to comply with this requirement is a breach of the Code reportable to the Standards Committee.

¶

In addition, the Bribery Act 2010 provides an offence of bribing another person or being bribed. This could apply to the holder of a public office where the intention is to bring about an improper performance of a relevant function or an activity by another person or to reward such improper performance. Conviction could result in a fine or imprisonment.

¶

Against this background, the purpose of this Code is to set out -

¶

the principles which a Councillor should apply whenever they have to decide whether it would be proper to accept any gift or hospitality;

¶

a procedure for obtaining consent to accept a gift or hospitality, when a Councillor considers that it would be proper to accept it;

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a procedure for declaring any gift or hospitality which a Councillor receives and for accounting for any gift to the authority.

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This Code does not apply to the acceptance of any facilities or hospitality which may be provided by the County Council itself.

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In addition, the Code only applies to offers of gifts or hospitality made to a Councillor in their role as such. However, in this respect, there may be circumstances where a Councillor needs to be cautious as to the basis on which an offer is made.

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General Principles

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In deciding whether it is proper to accept any gift or hospitality, the following principles should be applied. Even if the gift or hospitality comes within one of the general consents set out below, it should not be accepted if to do so would be in breach of one or more of these principles:

Never accept a gift or hospitality as an inducement ...

MEMBERS PROTOCOL FOR CONTRACTS AND PURCHASING**1. Introduction**

- 1.1 The County Council procures goods, services and works on a large scale, via tendering exercises or negotiations, and subsequently manages the resultant contracts and takes decisions around contract extension or termination.
- 1.2 The purpose of this protocol is to define the role of Members of the County Council in the taking of these decisions and to assist them in the exercise of that role.

2. Principles**2.1 This protocol is based upon the following principles-**

- protecting the personal integrity of Council Members and officers
- ensuring the financial and probity interests of the Council are protected
- ensuring decisions are based on complete and sound information and advice from appropriate professional staff
- ensuring decisions are in accordance with the Council's agreed processes and standards
- protecting the Council, its Members and officers from undue pressure or inappropriate contact from contractors and parties with a commercial interest in a transaction
- ensuring openness and accountability in decisions relating to contracts and purchasing

2.2 Against this background the protocol covers the following: -

- (a) the overall role of Members in such decisions
- (b) Contract Standing Orders
- (c) Code of Conduct
- (d) gifts and hospitality
- (e) lobbying
- (f) the related transactions form
- (g) confidentiality

3. (a) The Overall Role of Members in such Decisions

The County Council's governance arrangements provide for: -

- (i) The full County Council to adopt Standing Orders for the letting of contracts.
- (ii) The Leader and Executive to take decisions relating to major contracts, in particular major partnership working.
- (iii) But otherwise, for decisions to be taken by Chief Officers under Contract Standing Orders, subject to the involvement of the Executive in certain defined areas.

(b) Contract Standing Orders

The County Council has adopted Contract Standing Orders, the purpose of which is to govern the letting of Council contracts, and in particular to ensure that contracts are let competitively, and, in a way, which not only ensures that the Council secures Best Value but also that the probity interests of the Council are protected. These Standing Orders generally place the responsibility for procurement with Chief Officers. The Executive may be involved in authorising procurement exercises in accordance with Contract Standing Orders, in the following circumstances: -

- (i) Authorising exemptions not otherwise covered in the Standing Orders.
- (ii) Receiving reports where Chief Officers have applied certain of the exemptions.

(c) Code of Conduct

Councillors are bound by the Members' Code of Conduct and Chapter 7 of the Localism Act 2011, the requirements of which include: -

- (i) The registration of a range of interests including: -
 - employment or office
 - contracts
 - land
 - leases
 - political sponsorship
 - shareholdings

(d) Gifts and Hospitality Code of Conduct

The County Council has also adopted a Code of Conduct which places major restraints on the extent to which Members may receive gifts and hospitality. The key points of this Code are that: -

- (i) Offers of gifts and hospitality can only be accepted in very limited circumstances and should be registered with the County Council. In particular, the Code contains the general principles that a Councillor should never accept gifts or hospitality as an inducement or reward for anything done by them nor should they be accepted if it places a Councillor under an improper obligation.
- (ii) Offers should be refused where they: -
 - Appear to be an inducement or reward for something expected from the Councillor or;
 - Are from commercial organisations or private individuals over £25.00 in value.

(e) Lobbying

It is a well-established part of the political process that those who may be affected by a proposed decision of a Local Authority should seek to influence that decision. In many cases, they will approach their local Councillor or Members of the relevant decision-making bodies. However, it is essential that the process of lobbying does not undermine the decision-making processes and that Councillors are seen to determine matters on their merit.

As a result, where a Councillor is likely to become involved in a decision on a particular procurement they should make it clear, in any situation where they are approached by or on behalf of anyone interested in procuring the contract, not to enter into any discussion. Rather, potential Contractors must be directed to the relevant Chief Officer.

In addition, Councillors should not seek to influence the procurement decisions of officers, but it is entirely appropriate for Members to understand how and why decisions were taken.

(f) The Related Transactions Form

The Code of Practice on Local Authority Accounting requires that the County Council must disclose in its annual accounts details of all transactions between the Council and individual Councillors, members of their close families or of the same household, and companies, partnerships, trusts or other entities in which they or their close family or members of their household have a controlling interest. To facilitate this process, the Executive Director of Commercial Services and Finance writes annually to all Councillors asking them to disclose any relevant transactions.

(g) Confidentiality

Commercial transactions, by their nature, involve the commercial activities of one or more party other than the Council. They will involve the disclosure to the Council of matters of commercial confidentiality, such as Business Plans, and pricing structure, disclosure of which to a competitor or to the market could be very detrimental. The maintenance of confidentiality is essential both to maintain the integrity of a competitive procurement process and to ensure that those who have commercial dealings with the Council know that they can rely upon the Council to protect their commercial secrets and are therefore able to be open with the Council.

On the other hand, it is important that Councillors should have access to relevant information necessary to enable them to understand the business of the Council and to ensure that it is being conducted in accordance with the policies and budgets of the Council and to the highest standards of propriety. The Council therefore ensures all Councillors have the information necessary to enable them to perform their duties, but the corollary to that is that Councillors should only request access to confidential information where there are clear reasons why they need access to the information for the performance of their obligations and should ensure that they do not disclose confidential information to unauthorised persons or organisations.

If an officer is concerned that a Councillor's request for access to confidential information may be inappropriate then under the terms of the Access to Information Procedure Rules adopted by the Council, it must be referred to the Monitoring Officer for advice. If it is then still not considered appropriate to release the information and the Councillor disagrees the matter will be referred to the Head of Paid Service who will consult the relevant Group Leader before making a decision.

APPENDIX 20

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STANDARDS COMMITTEE: RULES OF PROCEDURE FOR HEARINGS

This is the procedure for dealing with Standards Committee hearings. The Standards Committee has agreed a process for handling investigations into complaints that a member is in breach of the Code of Conduct. This process does not form part of the Constitution but is available on the Council's website [here](#):

Commented [EH23]: Add link to online version when published

Interpretation

1. 'Member' means the member of the authority who is the subject of the allegation being considered by the Standards Committee, unless stated otherwise. It also includes the Member's nominated representative.
2. 'Investigator' means the Monitoring Officer or other investigating officer and their nominated representative.
3. 'Committee' also refers to 'a standards sub-committee' that may be considering the allegation against a Member.
4. 'Legal Adviser' means the officer responsible for providing legal advice to the Standards Committee. This may be the Monitoring Officer, another legally qualified officer of the authority or someone appointed for this purpose from outside the authority.

Representation

5. The Member may be represented or accompanied during the meeting by a Solicitor, Counsel or, with the permission of the Committee, another person.

Legal Advice

6. The Committee may take legal advice from its legal adviser at any time during the hearing or while they are considering the outcome. The substance of any legal advice given to the Committee should be shared with the Member and the investigator if they are present.

Setting the Scene

7. After all the Members and everyone involved have been formally introduced, the Chair should explain how the Committee is going to run the hearing.

Preliminary Procedural Issues

8. The Committee should then resolve any issues or disagreements about how the hearing should continue, which have not been resolved during the pre-hearing process.

Making Findings of Fact

9. After dealing with any preliminary issues, the Committee should then move on to consider whether or not there are any significant disagreements about the facts contained in the investigator's report.

10. If there is no disagreement about the facts, the Committee can move on to the next stage of the hearing (paragraph 18).
11. If there is a disagreement, the investigator, if present, should be invited to make any necessary representations to support the relevant findings of fact in the report. With the Committee's permission, the investigator may call any necessary supporting witnesses to give evidence. The Committee should give the Member an opportunity to challenge any evidence put forward by any witness called by the investigator.
12. The Member should then have the opportunity to make representations to support their version of the facts and, with the Committee's permission, to call any necessary witnesses to give evidence.
13. At any time, the Committee may question any of the people involved or any of the witnesses and should allow the investigator to challenge any evidence put forward by witnesses called by the Member.
14. If the Member disagrees with most of the facts, it may make sense for the investigator to start by making representations on all the relevant facts, instead of discussing each fact individually.
15. If the Member disagrees with any relevant fact in the investigator's report, without having given prior notice of the disagreement, good reasons must be given for not mentioning it before the hearing. If the investigator is not present, the Committee will consider whether or not it would be in the public interest to continue in the Investigator's absence. After considering the Member's explanation for not raising the issue at an earlier stage, the Committee may then: -
 - (a) Continue with the hearing, relying on the information in the investigator's report;
 - (b) Allow the Member to make representations about the issue, and invite the investigator to respond and call any witnesses, as necessary; or
 - (c) Postpone the hearing to arrange for appropriate witnesses to be present, or for the investigator to be present if not already present.
16. The Committee will usually move to another room to consider the representations and evidence in private.
17. On their return, the Chair will announce the Committee's findings of fact.

Did the Member fail to follow the Code?

18. The Committee then needs to consider whether or not, based on the facts it has found, the Member has failed to follow the Code of Conduct.

19. The Member should be invited to give relevant reasons why the Committee should not decide that the Member has failed to follow the Code.
20. The Committee should then consider any verbal or written representations from the investigator.
21. The Committee may, at any time, question anyone involved on any point they raise in their representations.
22. The Member should be invited to make any final relevant points.
23. The Committee will then move to another room to consider the representations.
24. On their return, the Chair will announce the Committee's decision as to whether or not the Member has failed to follow the Code of Conduct.

If the Member has not failed to Follow the Code of Conduct

25. If the Committee decides that the Member has not failed to follow the Code of Conduct, the Committee can move on to consider whether it should make any recommendations to the authority.

If the Member has failed to Follow the Code

26. If the Committee decides that the Member has failed to follow the Code of Conduct, it will consider any verbal or written representations from the investigator and the Member as to:
 - (a) Whether or not the Committee should set a penalty: and
 - (b) What form any penalty should take.
27. The Committee may question the investigator and Member, and take legal advice, to make sure they have the information they need in order to make an informed decision.
28. The Committee will then move to another room to consider whether or not to impose a penalty on the Member and, if so, what the penalty should be.
29. On their return, the Chair will announce the Committee's decision.

Recommendations to the Authority

30. After considering any verbal or written representations from the investigator, the Committee will consider whether or not it should make any recommendations to the authority, with a view to promoting high standards of conduct among Members.

The Written Decision

31. The Committee will announce its decision on the day and, where possible, provide a short-written decision on that day. It will also need to issue a full written decision shortly after the end of the hearing. It is good practice to prepare the full written decision in draft on the day of the hearing, before people's memories fade.

Power to regulate own proceedings

32. The Chair of a hearings sub-committee has the right to depart from these arrangements where they consider that it is expedient to do so in order to secure the effective and fair consideration of any matter being dealt with at a meeting of the hearings sub-committee.

Press queries in relation to Standards matters

33. Allegations about breaches of the County Council's Code of Conduct for Members may be referred to the Standards Committee. The County Council will only comment on such allegations to the extent of confirming (or not, as the case may be) statements put to the Council by the press.
34. There should be one spokesperson for the Standards Committee to whom all queries are directed from the Press. This would normally be through the Communications Team. Such an arrangement helps to ensure that a consistent message is given to the public.
35. To the extent that Member comment is appropriate the Chair of the Committee will be the only Member who comments in the Press on cases about the Council's Code of Conduct for Members. In the Chair's absence this role will be taken on by the Vice-Chair. In either case, statements will be made with advice from the Communications Team and any release issued from that office in line with council practice.

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Deleted: STANDARDS COMMITTEE PUBLICITY PROTOCOL¶

Deleted: <#>Introduction¶

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<#>This protocol does not seek to replicate unnecessarily the publicity issues dealt with in the Rules of Procedure for Standards sub-Committee hearings. It is primarily aimed at providing a framework for dealing with Press queries outside the context of any Standards Committee hearing.¶

Deleted: <#>Under Article 8 of the European Convention on Human Rights everyone has the right to respect for their private and family life. This may be interfered with if authorised by law and if it is necessary in a democratic society in the interests of, amongst other things, protecting people's morals (which would include protecting standards of behaviour in public life).¶

<#>¶

<#>Article 10 deals with the right to freedom of expression which, again, can only be interfered with as prescribed by law for specific purposes including the protection of morals, the protection of rights of others and for preventing the disclosure of information received in confidence.¶

<#>¶

<#>Depending on the nature of the allegation, the hearing may or may not be held in public. However, that is not necessarily the right approach for dealing with publicity about allegations of misconduct prior to a hearing.¶

<#>¶

<#>Allegations¶

<#>¶

<#>Allegations about breaches of the County Council's Code of Conduct for Members may be referred to the Standards Committee. The County Council will only comment on such allegations to the extent of confirming (or not, as the case may be) statements put to the Council by the press.¶

<#>¶

<#>Hearings¶

Deleted: <#>It would be sensible for there to be one spokesperson for the Standards Committee to whom all queries are directed from the Press. This would normally be through the Communications Team. Such an arrangement helps to ensure that a consistent message is given to the public.¶

<#>¶

<#>To the extent that Member comment is appropriate the Chair of the Committee will be the only Member who comments in the Press on cases about the Council's Code of Conduct for Members. In the Chair's absence this role will be taken on by the Vice-Chair. In either case, statements will be made with advice from the Communications Team and any release issued from that office in line with council practice.¶

1. Press Notices

1.1 The findings of a Standards Committee will normally be published. Where the committee finds that a Member did not breach the code of conduct a notice will not be published if the Member objects.

1.2 The notice will identify the Member concerned, the fact that they have been found to have breached the code, the details of that breach, the reasons for the committee's findings and specify the sanction imposed.

1.3 Any press release from the Chair of the Standards Committee will confine itself to the issues that should be contained in the press notice. Where the committee finds that a Member did not breach the code of conduct a press release will not be issued if the Member objects. However, if asked, the Communications Team would confirm the outcome.

Deleted: <#>There are conflicting human rights issues to be balanced. There is a clear public interest in promoting the integrity and honesty of public authorities and public confidence in them. Hearings should be held in public unless the Standards Committee decides that protecting the privacy of someone involved is more important than the need for a public hearing.¶

<#>¶

<#>**Defamation¶**

<#>¶

<#>Comments made by a Member or officer during a hearing will generally attract quasi-privilege (unless made maliciously) and, therefore, be protected from defamation proceedings. However, the same does not apply to comments made to the press outside the meeting so it is important that any such comments are cleared through the Communications Team or

Deleted: <#>Chief Legal Officer

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<#>In general, any such comments should be confined to statements of fact. Where one is asked for an opinion this should be declined.¶

APPENDIX 21

PROTOCOL ON MEMBER/OFFICER RELATIONS

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INTRODUCTION

1. This protocol deals with the working relationships between the elected Members on the County Council and the officers of the Council. Its purpose is to ensure the smooth running of the Council's processes.
2. The protocol is based on the principle that an officer's duty is to all Members of the Council as a single corporate body. Officers have, therefore, to provide information, offer advice and give assistance in the formulation of policy proposals impartially to all political groups who wish such information, advice or assistance.

PRINCIPLES FOR MEMBER/OFFICER WORKING

3. Councillors and officers are servants of the public. The effectiveness of the outcomes they are able to deliver for residents is dependent on a strong and constructive relationship which adheres to a set of clear principles. These principles are:
 - Mutual respect for each other's roles and responsibilities.
 - Dealings between Members and Offices should be courteous and conducted in a constructive and positive way.
 - Neither party should seek to take unfair advantage of their position or seek to exert undue influence.
 - Respecting the confidentiality of information given and received as part of County Council business.
 - Concerns as to the conduct of officers should be made to the relevant Chief Officer, and of Members, to the Monitoring Officer.

ROLES

4. Members and officers have distinctive responsibilities. Councillors are responsible to the electorate and to the County Council. Officers are responsible to the Council, and also have a public service role. Their job is to give advice to Councillors and the Council and to carry out the Council's work under the direction and control of the Council, the Leader, the Executive and the Council's Committees. Officers are responsible for ensuring the effective and efficient operations of services the Council commissions or delivers. Some Council officers hold statutory positions and have particular public responsibilities. These officers are:

Head of Paid Service

Executive Director of Finance and Commercial Services (Section 151 Officer)

Director of Governance (Monitoring Officer)

Executive Director of Children's Services

Executive Director of Adult Social Services

Chief Fire Officer

Director of Public Health (DPH)

The specific roles and responsibilities of these officers are set out in Article 11.

5. The specific roles and functions of Councillors are contained in Article 2 paragraph

1.3 of the Constitution. Broadly these are: -

- As politicians - expressing political values and supporting the policies of the group to which they belong.
- As representatives and advocates - engaging with their communities to represent the division or ward and the citizens who live there.
- As decision makers, on Full Council, the Executive, and the Council's Committees (including Joint Committees).
- As policy makers - developing and reviewing policy and strategy.
- Monitoring and reviewing policy implementation and service quality.
- As community leaders and networkers - through active partnerships with other organisations.

6. In broad terms officers have the following main roles: -

- Managing and providing the services for which the Council or a committee has given them responsibility and being accountable for the efficiency and effectiveness of those services and for proper and lawful practice in discharging their responsibilities.
- Giving professional and impartial advice to the Council, the Executive, the Council's Committees, joint Committees where appropriate and individual Members in respect of its services.
- Initiating policy proposals as well as implementing agreed policy.
- Ensuring that the Council always acts in a lawful manner.

OFFICERS AND WHOLE COUNCIL

7. This Constitution includes provision for a single party Cabinet and a clear division between the Cabinet and Scrutiny roles of Members.
8. However, officers are required always to serve the whole Council and will need to exercise judgement in fulfilling this obligation whilst maintaining the distinction between Cabinet and Scrutiny.

OFFICERS AND COMMITTEES

9. Any decision by the Leader, by Cabinet collectively and individual Cabinet Members must take into account advice from the appropriate officer. An officer's obligation to the whole Council requires that such advice is given, and that the advice is independent. Cabinet Members must not seek to suppress or amend any aspect of such professional advice.
10. Reports to the Cabinet will be produced by officers and there will also be occasions when a Cabinet Member prepares a report. In either situation the appropriate officer will place on record their professional advice to the Cabinet and ensure that the advice is considered when a decision is taken. Procedures exist to ensure that this happens.
11. Whenever officers represent the decisions of the Leader or of the Cabinet, non-Cabinet Members will need to recognise that in so doing the officer is representing a decision made by Members.
12. Similar principles will apply to decisions taken by Committees (including joint Committees) of the Council.

OFFICERS AND OVERVIEW AND SCRUTINY

13. It is critical to the smooth and effective running of the Council that officers provide the same high levels of impartial advice to the Scrutiny Committee as they do to the Executive.

OFFICERS AND INDIVIDUAL MEMBERS

14. Any Group Leader, Cabinet Member, Group Spokesperson, Scrutiny Committee Chair or Committee Chair may request a private and confidential briefing from a Chief Officer or head of the relevant unit on matters which have already been, or may be, discussed by the Council or one of its decision making or advisory bodies. All requests should be made to the appropriate Chief Officer or head of the unit. Briefings shall remain strictly confidential and are not to be shared with other Members of the Council unless so permitted by the relevant Member. In addition, briefings should not be used by Members or Chief Officers to pre-empt the decision-making processes laid down in the Constitution. Other Members may seek private and confidential briefings with the agreement of their group leader.
15. Except for the confidential matters referred to above, information given to a Group Leader, Cabinet Member, Group Spokesperson, Scrutiny Committee or other Committee Chair will where possible be shared with the relevant representatives of the other political groups.
16. In general, the Council encourages dialogue between Members and officers, during working hours and taking into account the proper processes, on all issues affecting the Council.
17. The rights of Members to documents and information of the Council are set out in

the Access to Information Procedure Rules. In circumstances where the Chief Officer and Member disagree as to whether the Member is entitled to the information the matter will be referred to the Head of Paid Service, for decision. If the matter is still unresolved, it will be decided by the Council itself.

OFFICERS AND POLITICAL PARTY GROUPS

18. There is statutory recognition for Political Groups and it is common practice for such groups to give preliminary consideration to matters of Council business in advance of consideration by the relevant Council body.
19. On the invitation of a Group Leader a Chief Officer or their nominee may attend a Group meeting to give factual information. In such circumstances the following guiding principles apply:
 - a) No officer is obliged to accept an invitation to a Group meeting;
 - b) No officer is entitled to insist on attending a Group meeting;
 - c) The duration of an officer's attendance at a Group meeting will be at the discretion of the Group but an officer may leave if they feel uncomfortable remaining at the meeting;
 - d) An officer accepting an invitation to the meeting of one Group must not decline an invitation to advise another Group on the same subject;
 - e) An officer who is not a Chief Officer will not be invited to attend a Group meeting, but a Chief Officer may nominate such an officer to attend on his behalf;
 - f) An officer's advice to the Group meeting must be confined to matters of factual information or professional expertise;
 - g) An officer must give substantially the same advice to each Group on any matter raised by more than one;
 - h) An officer must not divulge to any Member of the Council the views expressed by Members at a meeting of a Group to which the Member in question does not belong;
 - i) An officer must be afforded an opportunity of verifying any record of their advice contained in the minutes of a Group meeting;
 - j) No Member will refer in public or in meetings of Council, the Cabinet or committees, or in communication with the media, to advice or information given by an officer in any Group meeting.

OFFICERS AND LOCAL MEMBERS

20. It is essential for the proper running of the Council that Members should be fully informed about matters on which they may be required to make decisions, or which affect their electoral divisions. It is the duty of each Chief Officer to ensure that all relevant staff are aware of the requirement to keep local Members informed and that the timing of such information allows Members to contribute to those decisions. Local Members must also be kept informed about matters affecting their division during the formative stages of policy development and consideration by the Select Committees or other committees of the Council and about significant operational matters within the Division.
21. Issues may affect a single electoral division, but others may have a wider impact in which case any number of Members will need to be kept informed.
22. Local Members have an important role to play in representing the County Council in their divisions, responding to the concerns of their constituents, meeting with partners and serving on outside organisations.
23. Whenever a public meeting is organised by the Council to consider a local issue all the Members representing the electoral divisions affected should as a matter of course be invited to attend the meeting.
24. Similarly, whenever the Council undertakes any form of consultative exercise the local Members.

ACCESS TO PREMISES

25. Members are welcome to visit any premises owned and used for the delivery of services by Norfolk County Council when doing so as part of their county council responsibilities. If such visits are needed for a personal or employment need, or as a governor or trustee, Members should agree these arrangements for the visit with the local manager.
26. In addition, any council Member wishing to visit a school must also obtain the permission of the head teacher. If the school is an Academy school, they will not have a right to visit the school, but may do so with the permission of the headteacher. The same applies when wishing to visit residential establishments on council business. If Members wish to visit premises outside their division as part of their Norfolk County Council duties they should also inform the Member for that division, the relevant Cabinet Member and the relevant Committee Chair. Where Cabinet Members and Committee Chairs wish to visit premises outside their division they should inform the Member for that Division. At all times when making visits, Members are required to comply with any health and safety, security or other workplace rules and regulations and not interfere with the provision of services to the public.
27. Members do not have rights to:

- Visit premises for purposes unrelated to their duties as Members of the Council.
- Enter premises owned by Norfolk County Council but let to or legally occupied by other persons.
- Enter premises not owned or leased by Norfolk County Council.
- Enter premises operated by Companies in which the Norfolk County Council has an interest without the Company's permission.

PRINCIPLES AND PROTOCOLS FOR DEALING WITH THE MEDIA

1. Introduction

Norfolk County Council is committed to effective communications so that residents are well informed about its services. The communications team works to promote and protect the Council's reputation, providing accurate and balanced media coverage of its work and activities.

The team operates within the terms and spirit of a legal framework which states that:

-

"A local authority shall not publish any material which in whole, or in part, appears to be designed to affect public support for a political party".

This covers "any communication, in whatever form, addressed to the public at large or to a section of the public".

Publicity issued by local authorities must be lawful, cost effective, objective, even-handed, appropriate, have regard to equality and diversity and be issued with care during periods of heightened sensitivity e.g. during a pre-election "purdah" period.

2. Principles

Underpinning the work of the communications team are several fundamental principles.

Members actively involved. The content of all principal news releases should be shared and developed in draft stages with the lead Member for the relevant service (usually the Cabinet Member). All Members whose contact details are included in press releases should be alerted to releases before they are sent to the media so that they have time to digest the issue prior to any media enquiry. This alert will come by email. They should not hear first from the media. This applies to:

Staff informed. Media releases will be agreed with the principal officers and distributed to them prior to release. They will also be posted on the Council website on the day of publication.

Honest. The media team never knowingly misleads the media on a story or issue. Staff are in a long-term relationship with the local media and trust in our approach is critical.

Accessible and timely. Staff are polite but firm in dealings with the media, always ensuring contact numbers are accurate and returning calls efficiently to recognise competing pressures on deadlines. The timeliness of the response rate to media enquiries is recorded and a media officer is available to the media on a 24-hour basis, seven days a week.

Fair. The media team does not routinely favour one media source over another. Where

appropriate, staff will identify the relative importance of media sources and be able to clearly justify any strategy that promotes one over another.

3. Protocol

a) Clearance of media releases, statements and interviews:

Media activity on behalf of the Council – statements, press releases and interviews – should be cleared by the following: i) the communications team; ii) relevant Cabinet Member or, where applicable, in their absence, Deputy Cabinet Member; iii) relevant Senior Officers.

This is to ensure “no surprises”, factual accuracy and consistency of Council messaging. (The only exceptions are the Museums and Libraries Services where releases that do not relate to policy or controversial matters may be released by the Services if they are simultaneously sent to the communications team). The Communications Team will use its best endeavours to supply press releases as early as possible to opposition spokespersons.

b) Interviews by politicians:

The communications team is available to broker interviews with and offer advice to Cabinet Members and the Leader (unless pre-election purdah restrictions are in place). This enables the team to brief interviewees, to improve their chances of success and to ensure that we can log the resultant coverage.

To assist this process, we would encourage politicians to let us know if they are approached by the media. However, the team recognises that politicians are free to make their own arrangements with the media, especially on party political matters.

If a senior politician is not available to be quoted or do an interview, a Senior Officer can take their place with consent from the Leader/Deputy Leader.

c) Interviews by officers:

No officer should speak to the media about Council issues without the prior approval of the communications team. This is to ensure “no surprises”, factual accuracy and consistency of Council messaging. It also ensures that the officer can be briefed by the communications team, which reduces the risk of an unsuccessful interview. Ideally, officers who take part in interviews should have had media training.

As stated in 3.b - a Senior Officer can only be interviewed or quoted in a press release with consent from the Leader/Deputy Leader.

d) Political releases and statements:

Political groups are responsible for producing releases and statements relating to their group and party-political issues. Political Assistants will pass these to the communications team shortly after issue and the communications team will share them with the relevant Cabinet Members, Group Leaders and Executive Directors. The communications team cannot be involved in this work, under the Government’s code of practice.

All Councillors are entitled to comment on any subject in their electoral division but must be clear that this is their opinion and not the opinion necessarily of the council. Any Councillor who is unsure of this position can seek advice from the communications team. The communications team cannot always provide quotes for local Members on electoral divisional matters.

e) Members quoted in Council press releases:

Cabinet Members and/or the Leader should be quoted in Council releases relating to their service area, unless the Council is in a pre-election purdah period, in which case, officers should be quoted.

f) Circulation to local Members:

Where a Press releases or statement relates to a specific part of the county it should be shared with the relevant local Members before they are issued to the media, for their information. The local Member's contact details will be included on the release and local Members will be invited to quote in press releases where a quote is appropriate. The local Member will sign off the quote and is responsible for responding in a timely way.

Other information, for example following a meeting, that directly affects local Members, will be circulated to them by the relevant departmental officer team.

g) Circulation to Group Leaders:

Group Leaders and Members whose contact details are included on press releases should be alerted to press releases before they are issued to the media, for information. This alert will be by email.

h) Publication of press releases on the Council's website:

The communications team will publish general press releases and statements – in other words, those issued to all media – on its website and may share them on social media. It will not publish statements provided to specific media outlets or resulting from specific media enquiries but will keep a record of them on its internal system.

i) Publication of Committee, Cabinet and full Council agenda papers:

Papers are published, where possible, five clear days before a Council, Cabinet or Committee meeting takes place. The Council generally issues a press release about certain items on the agenda at the same time the agenda is published. Group Leaders will be given copies of such releases and the reports to which they relate in advance of publication, so they have time to digest the issue prior to any media enquiry. This alert will be by email.

j) Motions and questions:

Motions and questions from individual Members shown on an agenda will not be publicised by the Council as a matter of fairness.

Commented [EH26]: Removed only because of lack of clarity over definition of "promptly" – process being discussed with Comms team

Deleted: promptly

k) Pre-election purdah period:

Pre-election restrictions stop the Council from launching and publicising any new initiatives. Publicity must be restricted during this period to “business as usual” activity that pre-dates the calling of the election. Any publicity, event or activity must not involve Members including Members if they are standing for district elections.

l) Press releases:

The communications team will email press releases to all Members as a matter of course and to all relevant local, regional and national media contacts and will update our distribution list when we become aware of new outlets or journalists. We will also post releases online and, where appropriate Tweet links to them and post them on Facebook, if that is judged to be the best way to reach a particular audience.

m) Council meetings:

Council meetings are recorded as a matter of course and the media and public are free to film, record or photograph Council meetings provided they notify the Chairman of the Council and do not disrupt proceedings. We encourage broadcasters, as a courtesy, to inform the communications team in advance of any meetings they intend to record or film, due to the size of their equipment, so that we can suggest which part of the room they can film from.

n) Public Information Notices

Public Information Notices will give information and always provide the relevant departmental contact number. They will be distributed to all appropriate local media. Relevant local Members will receive the notice by email where it relates to a divisional issue that may prompt constituent concern or query.

A copy will be emailed to the named officer contacts and appropriate Executive Director for information.

o) News Statements

News statements will be issued by the communications team where necessary and appropriate in response to a particular request for comment. They will be printed on news release paper, clearly headed ‘statement’ and issued on request.

p) Attributing comments and quotes

Quotes and comments will normally be attributed to a named person, Member or officer as appropriate, so that people know who to get in touch with, in the event of further interest. This means that the communications team actively request the media to attribute quotes as opposed to the ‘a council spokesman said’ approach.

q) Use of Embargoes

Embargoes should only be used sparingly. This would most typically be when a news release is linked to a launch event, when an issue of confidentiality requires it, or when a third party requires it (e.g. announcement of award or additional funding). Embargoes are not legally enforceable and are adhered to by general local agreement.

r) News Releases on Partnership issues or Projects

Where we are either issuing or participating in the release of news on a partnership matter, the communications team will ensure that the Council's role or contribution is identified appropriately, and the release includes quotes from named Members or Officers and that the Council logo is included with others on the release paper.

s) Communications Support for Schools

Practical support for schools is offered in times of particular difficulties or success. This is a paid for service and can be in the form of general advice and guidance, media releases, fielding media calls, media briefings/news conferences.

In general terms: -

The content of all media releases will be cleared in advance with the Head teacher and, if possible, the Chair of Governors.

Any media release will make it clear it is being issued on behalf of the school concerned and headed with the name of the school governing body as appropriate.

Relevant school contact names and numbers will be included on any release except where prior agreement has been reached that communications team staff should field all calls in the first instance.

The Cabinet Member with responsibility for schools will be kept fully informed on media issues affecting schools in line with the 'no surprises' principle.

Deleted: ¶

t) Letters for Publication

The communications team will, in consultation with the appropriate Cabinet Member, consider the need to reply to letters and articles about the Council or its services that appear in the press and help draw up letters for publication, if appropriate.

In such cases, the Cabinet Member concerned will sign the letter or agree who else is best to respond having seen and approved the text prior to it being submitted. A copy of the letter will be sent to the Leader and Deputy Leader at the time it is submitted for publication. If the issue requiring a response is general in nature, the response may come from the Leader of the Council.

Where letters raise issues of a party-political nature, Group Leaders, aided by their Political Assistants, will consider and deal with any required response as considered necessary and appropriate.

u) Dealing with Confidential Items

The Council has some discretion over enquiries from journalists about the result of items discussed as an exempt item ("below the line").

The communications team will always seek to give the outcome of an issue taken 'below the line' – unless there are over-riding reasons not to do so, such as the handling of personal and sensitive issues affecting staff or clients, or financial and commercial issues.

Members of the communications team should consider each case individually, striking a balance between what is reasonable for an Authority to release, while considering any effects on individual service users that publicity may bring.

In these circumstances, officers should liaise with the department concerned before deciding the best course of action to follow.

v) Social Media

The Council will use social media, including Twitter and Facebook, to promote its news, in addition to conventional media. The communications unit is responsible for the Council's main channels and has the discretion to write and post material without clearance, provided it is in line with the social media protocol and the Council's key messages.

Members and staff who use social media are reminded that reporters and the public can view their posts and use them in stories. Social media activity should not be used to damage the reputation of the Council.

APPENDIX 23

APPENDIX 24

MEMBERS' ALLOWANCES SCHEME

The Norfolk County Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003, makes the following scheme:

1. THE SCHEME

This Scheme, which is called the Norfolk County Council Members' Allowances Scheme, will have effect commencing on 1 April 2019 and for subsequent years unless, and until, amended.

2. IN THIS SCHEME

"Councillor" means an elected Member of Norfolk County Council

"year" means the 12 months ending with 31st March

3. BASIC ALLOWANCE

Subject to paragraph 8, which deals with part year entitlements, a basic allowance will be paid in instalment to each Councillor each year. The current rate is shown in Appendix A.

4. SPECIAL RESPONSIBILITY ALLOWANCES

- (1) Each year a special responsibility allowance will be paid to those Councillors who hold the special responsibilities that are specified in Appendix B.
- (2) Subject to paragraph 8, the amount of each allowance will be the amount specified in Appendix B.
- (3) A Councillor is only eligible to receive one Special Responsibility Allowance (the highest).
- (4) Members of a political group shall only be eligible to receive Special Responsibility Allowances if there are at least 9 members in the group. This provision applies only to those SRA posts relating to Group activities, i.e Group Leader, Deputy Group Leader, Group Spokesmen. It does not apply to other SRA posts.

5. CARERS' ALLOWANCE

- (1) Councillors who incur costs for the care of children for whom they have parental responsibility or for dependent relatives in order to allow them to carry out their Council duties can claim a Carers' Allowance. The rate for the Allowance is set out in Appendix A of this scheme. A Carers' Allowance can be claimed only in respect of approved duties as set out in Appendix C of this scheme.

Commented [EH27]: Simplified and incorporated with Appendix 21

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Moved up [1]: STANDARDS COMMITTEE PUBLICITY PROTOCOL

¶

Introduction

¶

This protocol does not seek to replicate unnecessarily the publicity issues dealt with in the Rules of Procedure for Standards sub-Committee hearings. It is primarily aimed at providing a framework for dealing with Press queries outside the context of any Standards Committee hearing.

¶

Under Article 8 of the European Convention on Human Rights everyone has the right to respect for their private and family life. This may be interfered with if authorised by law and if it is necessary in a democratic society in the interests of, amongst other things, protecting people's morals (which would include protecting standards of behaviour in public life).

¶

Article 10 deals with the right to freedom of expression which, again, can only be interfered with as prescribed by law for specific purposes including the protection of morals, the protection of rights of others and for preventing the disclosure of information received in confidence.

¶

Depending on the nature of the allegation, the hearing may or may not be held in public. However, that is not necessarily the right approach for dealing with publicity about allegations of misconduct prior to a hearing.

¶

Allegations

¶

Allegations about breaches of the County Council's Code of Conduct for Members may be referred to the Standards Committee. The County Council will only comment on such allegations to the extent of confirming (or not, as the case may be) statements put to the Council by the press.

¶

Hearings

¶

It would be sensible for there to be one spokesperson for the Standards Committee to whom all queries are directed from the Press. This would normally be through the Communications Team. Such an arrangement helps to ensure that a consistent message is given to the public.

¶

To the extent that Member comment is appropriate the Chair of the Committee will be the only Member who comments in the Press on cases about the Council's Code of Conduct for Members. In the Chair's absence this role will be taken on by the Vice-Chair. In either case, statements will be made with advice from the

Deleted: Chief Legal Officer

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Commented [EH28]: No changes proposed except to numbering and to delete Appendix E with out of date tax rules)

- (2) In the case of a Carers' Allowance for childcare:-
- (i) The allowance is available for the care of children under 14 years of age who normally reside with the Councillor.
 - (ii) The allowance cannot be claimed for the care of children of compulsory school age during normal school hours except where the child is absent from school due to illness.
- (3) In the case of a Carers' Allowance for the care of a dependent relative, the relative must normally reside with the Councillor, be dependent on the Councillor and require constant care.
- (4) Expenditure incurred will be reimbursed up to the maximum hourly rate (as set out in Appendix A of this scheme) for each hour of absence from home.
- (5) Payment will only be made for the period of the qualifying meeting and the travelling time to and from the Councillor's home.
- (6) A signed receipt from the carer, showing their name, signature and address, the period worked and the amount received must be retained by the Councillor for the statutory period of six years plus the current year, for audit purposes.
- (7) A Carer's Allowance can be paid only for care provided by a registered childminder or other statutory approved childcare provider, or to agencies or persons professionally qualified or registered to provide the care required by the dependent relative. An allowance will not normally be paid for care provided by anyone else or by someone who is a close relative of the Councillor. In exceptional circumstances, where a Councillor is unable to find a suitable statutory provider or registered professional carer, a claim to pay another person may be considered, subject to the approval of the Executive Director of Finance and Commercial Services before the expense is incurred. If an exceptional circumstances claim relates to care provided by a family member, it must be accompanied by a statement signed by the carer and the Councillor verifying that the carer incurred a loss of income in order to provide the care.

6. CO-OPTED MEMBERS

Co-opted Members are entitled to claim travelling, subsistence and carers allowances at the rates set out within this Scheme. A "Co-optees allowance" is payable as determined by the County Council. Any such allowances are shown in Appendix A.

7. RENUNCIATION

A Councillor may elect to forego any part of their entitlement to an allowance under this Scheme by notifying the Executive Director of Finance and Commercial Services in writing.

8. PART-YEAR ENTITLEMENTS

- (1) If, during the course of a year:

- this Scheme is amended,
- or the amount payable is changed,
- or a Councillor becomes, or ceases to be, a Councillor,
- or a Councillor accepts or relinquishes a special responsibility for which a special responsibility allowance is payable,

entitlement to allowances will be calculated pro rata according to the number of days in the month in question.

- (2) If changes are made to the category of any allowance etc. the allowance payable will be that which was applicable when the duty was undertaken.

9. TRAVEL ALLOWANCE

This allowance is intended to reimburse expenditure necessarily incurred on all journeys undertaken on approved duties as set out in Appendix C. Travel allowances will be same as, and linked to, the rates which apply to officers of the Council.

(1) MOTOR VEHICLES

Where travel by car or motor cycle

- results in a substantial saving of the Members' time, or
- is in the interests of the Council, or
- is otherwise reasonable,

an allowance is payable and the conditions applying are as follows:

- A passenger supplement for passengers on official council business is paid per passenger per mile, up to a maximum of 4 passengers
- Councillors will be responsible for ensuring that they have adequate insurance cover for business use.
- The rates payable are shown in Appendix A.

(2) HIRED MOTOR VEHICLES (TAXI CAB)

The actual fare and any reasonable gratuity, will be paid in cases of urgency or where no convenient public service is available. Otherwise an allowance not exceeding the amount of the fare for travel by appropriate public service transport will be paid.

(3) HIRED MOTOR VEHICLE (OTHER THAN A TAXI CAB)

The actual cost of hiring for the period of Council duty will be paid.

(4) MOTORCYCLE

Travel by motor cycle will be reimbursed at the rate set out in Appendix A.

(5) **BICYCLE**

Travel by bicycle will be reimbursed at the rate set out in Appendix A.

(6) **PUBLIC SERVICE TRANSPORT**

BY RAIL

Normally standard class fare or actual fare paid (if less) will be paid. Reimbursement of first class fare will be paid only where it is clearly in the County Council's interest for a Councillor to travel first class and approval has been given in advance by the Head of Paid Service.

Councillors who are eligible to hold a senior citizen's rail card can purchase them and be reimbursed by the County Council through the expenses claim mechanism.

SUPPLEMENTARY ALLOWANCES

Reimbursement, not exceeding actual expenditure incurred, will be paid for:-

- (a) Pullman car or similar supplements, reservation of seats and deposit or portage of luggage.
- (b) Sleeping accommodation on the train for an overnight journey, subject to reduction by one-third of any subsistence allowance payable for that night.

(7) **AIR TRAVEL**

- (1) Subject to the prior agreement of the Head of Paid Service that the saving in time justifies payment of the fare for travel by air, there may be paid an amount not exceeding;
 - (a) the ordinary fare or any available cheap fare for travel by regular air service, or
 - (b) where no such service is available, or in case of urgency, the fare actually paid by the Councillor.

10. **SUBSISTENCE ALLOWANCE**

Subsistence allowances will be the same as, and linked to, the rates for employees. Employees are not normally entitled to claim a subsistence allowance where their duties have prevented them from following their normal meal arrangements. Subsistence can only be claimed in exceptional circumstances where it would be unreasonable to expect the Councillor to bear the cost of the meal and the Councillor is unavoidably put to exceptional expense. Circumstances where a Councillor may claim subsistence include:-

- Attending a conference or training event when the Councillor is required to purchase a meal at the event.

- Attending an event that necessitates an overnight stay where meals have not been included.

A Councillor may claim 50% of their broadband home connection, subject to a maximum of £13 per month.

11. DUTIES PERFORMED FOR MORE THAN ONE BODY

A Councillor who is both a County Councillor and a Member of another local authority or public body may claim allowances from both authorities should they undertake two separate duties, one for each authority, on the same day. A Member of the County Council who is also a Member of another authority may not however claim from both authorities for undertaking the same duty. Councillors must take particular care to avoid duplication or overlap of claims for travelling and subsistence. Claims for duties undertaken for other councils or public bodies should be sent to the Authority concerned and not included in claims on the County Council.

12. OFFICIAL AND COURTESY VISITS

Provided they have been approved by the appropriate Committee, official and courtesy visits by Councillors are eligible for travelling and subsistence claims at the rates set out in Appendix A if the journey is within the United Kingdom. If outside the United Kingdom, the travelling and subsistence expenses are limited to that which is reasonable in all the circumstances.

13. PRIOR APPROVAL

The appointment of a Councillor to a committee, sub-committee or working group etc. or as a representative of the Council on other bodies is deemed to satisfy the need for prior approval before a claim can be submitted

14. CLAIMS AND PAYMENTS

- (1) A claim for travel, subsistence and carers allowances under this Scheme should be made each month but in any event not less than quarterly. **Claims must be received by close of play on the 1st day of the month**
- (2) All claims for travel, subsistence or carers' allowance must include a clear indication of the specific category of approved duty under which the claim is submitted. This is with reference to the list of approved duties at Appendix C.
- (3) Councillors who fail to submit a claim within 3 months of carrying out the duty or incurring the expense will be deemed, automatically, to have waived their right to claim. The Executive Director of Finance and Commercial Services must be advised in writing if a Councillor opts not to claim allowances.
- (4) Payments will be made on the nineteenth day of each month. The basic and special responsibility allowances will be paid in instalments of one-twelfth of the amount specified in this Scheme. Where a payment of one-twelfth of the amount would result in the Councillor receiving more than the amount to which, by virtue of paragraph 8, they are entitled, the payment will be restricted to the amount to which that Councillor

is entitled.

- (5) If claims are amended by the Executive Director of Finance and Commercial Services by £10 or more the Councillor concerned will be informed.
- (6) A Councillor who has been overpaid under the terms of this Scheme will be advised of the situation and arrangements will be made for the immediate recovery of the overpayment or taken from subsequent claim(s).
- (7) By submitting expense claims electronically, Councillors are responsible for retaining VAT receipts for all claims, for the statutory period of six years plus the current year. Claims are subject to audit and supporting receipts may be called upon to substantiate a claim.
- (8) Councillors are reminded that responsibility for the accuracy and propriety of claims rests with the individual Councillor making the claim. Reliance is placed by the Executive Director of Finance and Commercial Services on the declaration signed by the claimant on each claim form.
- (9) Where payment of any allowance has already been made in respect of any period during which the Councillor concerned:-
 - (i) ceases to be a Member of the Council; or
 - (ii) is in any other way not entitled to receive the allowance in respect of that period;the Council will require that such part of the allowance as relates to any such period be repaid to the Council.

15. RECORDS

A record will be kept of the payments made by the Council in accordance with this Scheme. The record will specify the name of the recipient and the amount and nature of each payment. This record will be available at all reasonable times for inspection (free of charge) by any local government elector for the County. The record will be supplied in copy to any person who requests such a copy and who pays such reasonable fee as the Council may determine. The County Council will publish on its website figures showing allowances paid to individual Councillors on an annual basis. The County Council will also publish on its website on a monthly basis the allowances payments made to each Councillor.

16. INCOME TAX AND NATIONAL INSURANCE PROVISIONS

Details of the effect on Councillors are to be found in Appendix (D).

APPENDIX A

CURRENT ALLOWANCES – 2019/20

BASIC ALLOWANCE £10,924

TRAVEL ALLOWANCE

Car or van

Rate per mile	45p for first 10,000 miles 25p after 10,000 miles
Passenger supplement per passenger per mile for up to 4 passengers	5p per (passenger per mile)

Motor Cycle or Moped 24p per mile

Bicycle 20p per mile

SUBSISTENCE RATES

Councillors are reminded that subsistence allowances can **only** be claimed in exceptional circumstances as set out in paragraph 10 and these are the maximum sums reimbursable for expenses actually incurred. Claims for meals and subsistence must be supported with VAT receipts or they will not be authorised for payment.

(1)	Day Subsistence	<u>Standard Rate</u>	<u>Special Rate*</u>
(a)	Breakfast Allowance – Payable if you leave home before 7.30 a.m.	£6.62	£8.75
(b)	Lunch Allowance – Payable for absence between 12 noon and 2.30 p.m.	£9.10	£13.18
(c)	Tea Allowance – Payable for absence after 6.30 p.m.	£3.58	£4.41
(d)	Evening Meal Allowance – Payable for absence after 8.30 p.m.	£11.27	£17.61
(2)	Overnight Subsistence (24 hour period)		
	London and approved conferences	£108.20	
	Elsewhere	£77.23	

*The special rate is payable in respect of visits to London, attendance at conferences or other exceptional duties.

CARERS ALLOWANCE

A Carer's Allowance is payable at an hourly rate of the National Living Wage (£8.21) plus 20% - equates to £9.85 per hour. Subject to a limit of £3,168 per Councillor per annum.

CO-OPTEE'S ALLOWANCE

A Co-Optees Allowance of £1,040 per annum is payable to the Independent Members of the Norfolk Police and Crime Panel

REVIEW OF LEVELS OF ALLOWANCES

Travel and subsistence allowances will be amended annually in line with the rates for officers. The levels of basic, special responsibility and carers' allowances and co-optees allowance will be reviewed annually and increased by an equivalent percentage to the pay award agreed by the National Joint Council for Local Authority Staff. The indexing arrangement will next apply in 2020/21. The annual indexing arrangement will apply for a maximum period of three years, after which its application will be reviewed by the Independent Remuneration Panel.

APPENDIX B

SPECIAL RESPONSIBILITY ALLOWANCES

NEW STRUCTURE POST AND NUMBERS	SRA	% OF LEADER ALLOWANCE
Leader of the Council	£32,981	100%
Deputy Leader of the Council	£21,438	65%
Cabinet Members	£16,490	50%
Chair of Select Committee	£6,596	20%
Chair of Scrutiny Committee	£16,490	50%
Leader of Political Group with 31 or more Members *	£16,490	50%
Leader of Political Group with 21-30 Members *	£10,884	33%
Vice Chair of Scrutiny Committee	£4,947	15%
Leader of Political Group with 9-20 Members *	£6,596	20%
Deputy Leader of Political Group with 31 or more Members *	£4,123	25% of Group Leader SRA
Deputy Leader of Political Group with 21-30 Members *	£2,720	25% of Group Leader SRA
Deputy Leader of Political Group with 9-20 Members *	£1,649	25% of Group Leader SRA
Chair of the Council	£13,192	40%
Vice-Chair of Council	£2,473	7.5%
Chair of Planning Regulatory	£6,596	20%
Chair of Norwich Highways Agency Joint Committee	£6,596	20% Delete from April 2020
Chair of Audit Committee	£6,596	20%
Chair of Pensions Committee	£6,596	20%
Chair of Health Overview and Scrutiny Committee	£4,947	15%
Chair of Standards Committee	£2,473	7.5%
Member of Adoption Panel/Foster Panel	£3,298	10%
Chair of Records Committee #	£3,298	10%
Chair of Joint Museums Committee #	£3,298	10%
Opposition Spokes aligned to the functions reporting to the Select Committees		
Major Opposition Group* (x3)	£2,473	7.5%
Second Opposition Group* (x3)	£1,649	5%

*SRAs are only payable to opposition groups that have at least 9 members.

The SRAs for the Chairmen of the Records Committee and the Joint Museums Committee are payable only where the Chair is a County Councillor appointed to the Committee by the County Council

APPENDIX C

MEMBERS' ALLOWANCES SCHEME

DUTIES APPROVED FOR THE PURPOSES OF TRAVELLING, SUBSISTENCE AND CARERS' ALLOWANCES

The following are approved duties for the purpose of travelling, subsistence and carers' allowances.

- (a) (i) Attendance at meetings of Cabinet, committees, sub-committees, Panels, Joint Committees, Consultative and Advisory Bodies and working groups on which the claimant is an appointed member.
- (ii) Attendance at:-
- Full Council meetings
 - Committee meetings which the Councillor attends as a properly appointed substitute.
 - Committee meetings which the Councillor attends in order to speak on a local Member matter under consideration, or to ask a question on any significant matter affecting his/her Division within the Committee's terms of reference
- (iii) Attendance by the Leader, Deputy Leader, Group Leaders and Deputy Group Leaders at joint Leader meetings or at pre-arranged briefing meetings with the Head of Paid Service or other Chief Officers/Senior Officers.
- (iv) Attendance by Cabinet Members at Cabinet briefings and at pre-arranged briefing meetings with Chief Officers/Senior Officers on matters relating to their areas of responsibility.
- (v) Attendance by Chairmen and Vice-Chairmen of Committees and opposition spokesmen at pre-arranged pre-agenda meetings/briefings with Chief Officers/Senior Officers.
- (vi) Attendance by Councillors at pre-arranged meetings with officers to discuss matters relating to their Division. (This is subject to a maximum number of claims per Councillor of 2 per calendar month).
- (vii) Attendance by members of the Health Overview and Scrutiny Committee at meetings of the Primary Care Trusts to which they have been given an "affiliate" role.

- (b) Site meetings, visits or inspections by committees arranged by them (or, in cases of urgency, after consultation with their spokesmen and subject to report to committee).
- (c) Organised official visits including deputations to Government Departments, meetings with MPs/MEPs on Council business and meetings with Government inspectors etc.
- (d) Duties undertaken by Councillors in respect of outside bodies to which the Council has properly appointed them.

Payment of allowances under (d) above is restricted to meetings of the body to which the Councillor has been appointed. However, if a Councillor is considering attending an associated event relating to the outside body, such as a conference, seminar, book launch, opening etc. then the Councillor should notify the Executive Director of Finance and Commercial Services in advance of the visit. The Executive Director of Finance and Commercial Services has delegated authority to determine that allowances will be paid in these circumstances, if it can be demonstrated that the Councillor's attendance is necessary to enable them to carry out the duty for which they have been appointed to the body concerned.

Councillors cannot claim attendance allowances but if such allowances are payable by the outside body, the Councillor must include details on their claim form so that the County Council can seek recovery of them.

- (e) Attendance at consultation meetings with the public or other organisations arranged by a Committee, the Head of Paid Service, a Chief Officer or Head of Service.
- (f) Attendance at external seminars and conferences authorised by the Head of Governance and Regulatory Services after consultation with the Chairman of the Member Support and Development Advisory Group.
- (g) Attendance at seminars, briefing meetings and training events for Councillors, convened by the Head of Paid Service, a Chief Officer or Head of Service, e.g. on service planning, new legislation and on service and policy issues, or to discuss particular local issues.
- (h) Attendance at town or parish council meetings within a Councillor's division.
- (i) Visits by Member Champions in the performance of their role.
- (j) Visits to establishments, official openings, open days, sports days or similar events, but only if at the invitation of the Head of Paid Service, a Chief Officer or Head of Service to attend as the local Councillor or to perform a specific function at the event.
- (k) Visits and Inspections necessarily made by Chairmen of Committees, Sub-Committees etc. in order to carry out their duties in that capacity, provided that they are reported to the Committee/Sub-Committee concerned.

- (l) Official and courtesy visits of a civic nature within the United Kingdom and those abroad (such as twinning arrangements with overseas authorities) subject to the prior approval of the Cabinet.
- (m) Visits to County Hall to hand in/collect Council-provided computer equipment before and after maintenance/repair work.
- (n) Functions attended by the Chairman of the Council which are directly related to the office of Chairman. Where the Vice-Chairman deputises for the Chairman, the Vice-Chairman shall be entitled to receive such allowances as would have applied to the Chairman.

For the clear avoidance of doubt, the following are not eligible for reimbursement of travelling, subsistence and carer's allowance:-

Attendance at school governing body meetings as an LEA appointed governor.

Attendance at political group meetings.

Attendance at civic receptions, Chairman's receptions, services, parades etc.

Constituency meetings/surgeries.

Attendance at meetings of outside bodies on which Councillors serve but to which they have not been appointed by the County Council.

APPENDIX D

MEMBERS ALLOWANCES - INCOME TAX AND NATIONAL INSURANCE ASPECTS

The guidance notes in Appendices D and E are for information only and should not be relied upon for tax planning purposes. All income tax and national insurance queries should be addressed to HM Revenue and Customs (see contact details below).

The information contained in this guidance is based on HMRC notice EIM65940 – Tax treatment of Local Government Councillors and civic dignitaries: expenses deductions : home as a workplace and taking into account HMRC policy paper Tax Exemption for travel expenses of Members of local authorities.

To be read in conjunction with Appendix E. This specifies the current rates applicable.

1. INCOME TAX

- (1) Basic, Special Responsibility, dependants' carer's allowances and co-optees' allowances are taxable under PAYE arrangements but tax relief can be obtained for expenses incurred wholly, exclusively and necessarily in the performance of the duties of a County Councillor to the extent that they are not reimbursed.
- (2) Legislation was introduced in the Finance Bill 2015 to specifically exempt payment of Councillors travel expenses by a local authority from a charge to income tax under certain provisions. This includes expenses paid for journeys between the Councillor's home and most frequently used local authority office, except where the Councillor's home is more than 20 miles from the boundary of the local authority area.
- (3) Travel Allowance reimbursements above the statutory rates – (see Appendix A) are taxable as a benefit in kind.
- (4) Income Tax will be deducted from basic, special responsibility, dependants', carers allowances and co-optees allowance at the standard rate (See Appendix E) unless HM Revenue and Customs issues more specific instructions.
- (5) Any enquiries relating to tax relief should be addressed to: HM Revenue and Customs Telephone Number 0300 200 3300 or via the intranet at <https://www.gov.uk/contact-hmrc>
- (6) If you are registered under self assessment, you will need to quote your Unique Taxpayer Reference (UTR), otherwise you will need to quote your national insurance number and the Council's PAYE reference: 531/N3722.

2. NATIONAL INSURANCE

- (1) Basic, special responsibility, dependants' carers allowances and co-optees allowances come within the definition of remuneration for National Insurance purposes and consequently whenever such allowances average the amount shown in Appendix E or more per month for the period of a claim, the appropriate national insurance contributions have to be deducted unless the Councillor is regarded as "retired for national insurance purposes". The contributions together with the corresponding employers contributions are paid over to HM Revenue and Customs by the County Council. The liability for contributions is additional to that which a County Councillor may have as an employed or self-employed person.
- (2) The various rates of deduction which apply are shown in Appendix E.

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MEMBERS ALLOWANCES – TAX AND NATIONAL INSURANCE RATES

TAX

As office holders, Councillors are subject to PAYE in accordance with Section 5 of the Income Tax (Earnings and Pensions) Act 2003.

For 2018/19 a personal allowance nil rate band applies to taxable income up to £11,850. The Standard rate of tax is 20% on taxable income between £11,851 and £46,350. The higher rate of tax is 40%, paid on taxable income between £46,351 and £150,000. An additional rate of 45% is paid on taxable income over £150,000.

NATIONAL INSURANCE

Deleted: For 2018/19 no National Insurance contributions are payable on earnings below the primary earnings threshold of £162 per week (£702 per month).

2. Deduction rates for national insurance:

(a) A percentage of total payments (as listed) applicable to Councillors who do not fall into categories (b) or (c).

(i) Nil on first £702 per month

(ii) 12% on earnings above £702 to £3,863 per month

(iii) 2% on earnings above £3,863 per month

Further information on PAYE tax and Class 1 NICs thresholds, rates and codes can be found at:-

<http://www.gov.uk/income-tax-rates/current-rates-and-allowances>

(b) Married women and widows entitled to pay reduced rate national insurance contributions – any Councillor so entitled will already hold a “certificate of election” issued by HM Revenue and Customs and this should be forwarded to the Executive Director of Finance and Commercial Services

(c) Employees over the State Pension age - for this purpose a “certificate of age exemption” should be obtained by the Councillor from HM Revenue and Customs or the Department of Work and Pensions and sent to the Executive Director of Finance and Commercial Services.

Further information on the state pension age can be found at:-

<https://www.gov.uk/calculate-state-pension>

APPENDIX 25 (previously 32)

PROCEDURE FOR APPOINTING MEMBERS TO SERVE ON INTERNAL AND EXTERNAL BODIES

1. Internal bodies

- 1.1 In addition to the committees, sub committees and joint committees set out in Appendices 2, 2A and 4, the Council also establishes and appoints to a number of panels/boards/working groups. Save for appointments reserved to Full Council, the Council has delegated authority to appoint to these bodies to the Leader of the Council.
- 1.2 Having consulted with the Group Leaders, at the first ordinary meeting of the Council's Cabinet of the municipal year and throughout the year, the Council's Leader shall confirm appointments to these bodies. The Leader shall keep under review, making substitutions and further appointments as the need arises from resignations or changes made to these bodies as through changes approved the Constitution by Full Council.
- 1.3 Having consulted with the Group Leaders, at the first ordinary meeting of the Council's Cabinet of the municipal year and throughout the year, the Council's Leader shall also keep under review the continued appropriateness of Member Champions and to make appointments.

2. External bodies

- 2.1 The Council is represented on several external organisations. This reflects the Council's community leadership role. The Council has delegated authority to appoint to these bodies to the Leader of the Council. Guidance for serving on outside bodies is set out in Appendix 34 of this constitution.
- 2.2 Having consulted with the Group Leaders, at the first ordinary meeting of the Council's Cabinet of the municipal year and throughout the year, the Council's Leader shall confirm appointments to these bodies. The Leader shall consider any new request for the Council to appoint to an outside body and any changes to appointments that may be required such as arising from a Member resigning their position as the Council's representative.

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DETAILS OF THE MEMBERS OF THE EXECUTIVE¶

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Cabinet member

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APPENDIX 25

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GUIDANCE FOR MEMBERS AND OFFICERS SERVING ON OUTSIDE BODIES

INTRODUCTION

- 1.1 The County Council appoints Members and, less often, officers to serve on a wide range of outside bodies, including companies, charities and other public bodies.
- 1.2 The purpose of this guidance is to give a brief summary of the legal position of Councillors and officers whom the County Council appoint to serve on outside bodies. It is not intended to be an exhaustive explanation of the law and if further advice is required the [Director of Governance](#) should be contacted. Members and officers appointed will be given a handbook and training, giving further detail of their legal position.
- 1.3 Separately, the County Council has put in place guidelines for making appointments to outside bodies, in particular for helping to decide when appointments should be made and whether they should be Members or officers. Occasionally, this may mean it is appropriate for the County Council to have observer status only e.g. where there is likely to be a major conflict of interest or a financial risk for the appointee.
- 1.4 The County Council has also agreed the introduction of arrangements to provide officer support for Members appointed to certain outside bodies and also for Members to report back to the Council in appropriate cases. In this respect, Members should refer to the relevant Chief Officer for advice and guidance relating to the outside body to which they are appointed.

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GENERAL

- 2.1 Before accepting the directorship or trusteeship of an external organisation, the Member or officer should consider how onerous the responsibilities are likely to be and should only accept the office if satisfied that they have the time and capacity to undertake them.
- 2.2 Consideration should also be given to whether there is likely to be any significant conflict of interest between the role as a director or trustee and their role as a Councillor or officer. If such a conflict is likely to arise to a significant degree, then the role should not be taken on.
- 2.3 Also, the Member or officer should assess the risks of things going wrong which might raise the prospect of a personal liability. Matters to be taken into account are the nature of the functions of the outside body and the amount of money it holds or deals with. For example, some external companies handle considerable sums of money in the course of each year and have major functions. On the other hand, the risks associated with relatively small local charities (e.g. educational charities) are much less.

- 2.4 Members and officers who serve on outside bodies must exercise independent judgement in the interests of the organisation in which they are involved. Whilst it is recognised that they may have a commitment to representing the County Council on the outside organisation, they must also be aware that it is their responsibility to decide what view to take on any question before the organisation. Where a Member or officer serves on the outside body in a representative capacity, this should be made clear to that body. There will be a fine line to tread between the duty to the outside body and to the County Council.
- 2.5 Ultimately the Member or officer in acting as a Director or Trustee or Member of a Management Committee of an outside body, must act in accordance with that body's interests, and not those of the Council or even the council tax payers at large. A mandate from the Council to vote one way or the other would put the Member or officer in breach of the duty to the organisation. It is permissible to take account of the County Council's wishes, but not to vote simply in accordance with them. The overriding duty in considering an item before the outside body is to vote in accordance with the interests of that organisation.
- 2.6 If there is a major dispute between the County Council and the outside body, then the Council's representative can be placed in an untenable position. In these circumstances, the appointee should take advice from either the Head of Paid Service, the relevant Chief Officer or the Director of Governance.
- 2.7 At the end of the day, it is possible that a representative on an outside body may find themselves unable to adequately carry out their responsibilities properly, both as a Member or officer of the County Council and as a Director/Trustee/Committee Member of the outside body. That would be an exception and should not deflect those appointed to outside bodies from being prepared to participate in the management and running of outside organisations.
- 2.8 Finally, it is recommended that: -
- (a) Upon being appointed to an outside body, appointees obtain essential documents such as the outside body's governing document and the latest annual report and accounts
 - (b) Appointees to outside bodies should take advice from the Executive Director of Finance and Commercial Services or the Director of Governance (as appropriate) if they have any financial or other concerns about the body to which they have been appointed.

INDEMNITIES

8.1 Local Authorities now have express powers to indemnify Members and officers who represent them on outside bodies. In exercise of these powers, the County Council has agreed to indemnify all Members and officers who represent the County Council on outside bodies against claims made against them while serving on that body, subject to limitations which will be advised to Members and officers representing the Council.

Finally, there are three related issues: -

- (a) Occasionally, the County Council will be represented on outside bodies by third parties, rather than Members or officers. This guidance applies in principle to these representatives, although some parts of it will necessarily not apply e.g. Section 7.
- (b) From time to time, officers are, as a result of their position with the County Council, appointed to serve on an outside body by the body itself, rather than by the County Council. Examples include serving on the managing body of a professional association or appointment to a national body as a local authority representative. Again, most of the principles contained in this guidance will apply to that situation, depending on the nature of the outside body.
- (c) Finally, officers may from time to time be asked to serve in their private capacity on outside bodies funded by the Council. This can often give rise to a conflict of interest for the officer, particularly in the situation where the officer is employed within the funding department. In these circumstances, the County Council takes the view that there will be circumstances where an officer should not serve on the outside body because of the potential for a conflict of interest.

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APPENDIX 27
CORPORATE MANAGEMENT STRUCTURE
(not included in this report)

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PUBLIC SPEAKING AT COMMITTEES**(A) PLANNING REGULATORY COMMITTEE**

1. At meetings of the County Council's Planning (Regulatory) Committee, the public are able to speak before decisions are made on planning applications.

Anybody who wishes to object to or support a planning application which will be decided by the Committee may speak before decisions are made on planning applications.

Any person wishing to speak must give written notice to Democratic Services at least 48 hours before the Committee meets together with a short note of the points to be raised.

At the start of the meeting the Chair will ask members of the public to indicate if they wish to speak and if so, on what items and whether they are in support of or opposition to the application. Consideration can be given to changing the order of the agenda items if this is helpful in cases of exceptional public interest.

On each report where the public or local Members wish to speak, the order will be -

1. Officer presentation of the report.
2. Objectors/supporters to the Application.
3. Statutory Consultees, District and Parish/Town Councils.
4. The Applicant or agent.
5. The local Member.

Each group will be allocated five minutes each and should if possible nominate one person to speak on their behalf. If this is not possible or there are members of each group both objecting and in support of the application the time allocated will be at the discretion of the Chair. The Chair may in complex cases extend the time allocated for speaking.

2. Members of the Committee may seek clarification after each speaker through the Chair and can seek guidance from officers. This is NOT a debating session.
3. Speakers will not be allowed to question other speakers, officers or Members.
4. Officers will be given an opportunity to comment on any points raised if necessary.
5. Public speaking then ends, and Members proceed to debate the recommendation.
6. Members resolve on the recommendation.

(B) NORFOLK HEALTH OVERVIEW AND SCRUTINY COMMITTEE

Members of the public or interested parties who wish to speak to the Committee will be required to give two clear working days' notice and, at the discretion of the Chairman, will be given a maximum of five minutes at the microphone. Speaking will be for the purpose of providing the committee with additional information or a different perspective on an item on the agenda, not for the purposes of seeking information from NHS or other organisations that should more properly be pursued through other channels. Relevant NHS or other organisations represented at the meeting will be given an opportunity to respond but will be under no obligation to do so.

(C) HEALTH AND WELLBEING BOARD

7. Appendix 2 of the Constitution sets out the rules and procedure for asking questions at this Committee.

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APPENDIX 29

MONITORING OFFICER PROTOCOL

(not included in this report)

APPENDIX 30

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APPENDIX 29

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 The Chief Legal Officer/Director of Governance, as the County Council's Monitoring Officer, has established, and maintains, a register of the interests of the Members and co-opted Members of the County Council, as required by Section 29 of the Localism Act 2011. ¶

This register contains details of the following types of Members' interests: -

Subject

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This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

Deleted: Contracts

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(a) under which goods or services are to be provided or works are to be executed; and

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(b) which has not been fully discharged

Deleted: Land

Deleted: Licences

Deleted: Corporate tenancies

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(a) the landlord is the relevant authority; and

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(b) the tenant is a body in which the relevant person¶
has a beneficial interest.

Deleted: Securities

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(a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and

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(b) either -

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(i) the total nominal value of the securities exceeds ¶
£25,000 or one hundredth of the total issued share
capital of that body; or

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(ii) if the share of capital of that body is of more than

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PROTOCOL ON THE USE OF MEDIA EQUIPMENT AT MEETINGS HELD IN PUBLIC

1. The Council supports the principle of transparency and encourages filming, recording and taking photographs at its meetings that are open to the public. It also welcomes the use of social networking websites (such as Twitter and Facebook) and micro-blogging to communicate with people about what is happening, as it happens. There is no requirement to notify the Council in advance, but it should be noted that the Chair of the meeting will have absolute discretion to terminate or suspend any of these activities if, in their opinion, continuing to do so would prejudice proceedings at the meeting. The circumstances in which termination or suspension might occur could include:
 - public disturbance or suspension of the meeting;
 - the meeting agreeing to formally exclude the press and public from the meeting due to the confidential nature of the business being discussed;
 - where it is considered that continued recording, photography, filming, webcasting might infringe the rights of any individual,
2. In allowing this, the Council asks those recording proceedings not to edit the film/ record/ photographs in a way that could lead to misinterpretation of the proceedings or from editing an image or views expressed in a way that may show a lack of respect towards those being photographed/filmed/ recorded.
3. At the beginning of each meeting, the Chair will make an announcement that the meeting may be filmed, recorded or photographed. Meeting agendas will also carry this message.
4. Anyone wishing to record must let the Chair of the meeting know and the recording must be overt (i.e. clearly visible to anyone at the meeting).
5. The Council understands that some members of the public attending its meetings may not wish to be recorded. The Chair of the meeting will facilitate this by ensuring that any such request not to be recorded is respected by those doing the recording. Those intending to bring large equipment or wishing to discuss any special requirements are advised to contact the Council's Communications Team in advance of the meeting to seek advice and guidance. The use of flash photography or additional lighting will not be allowed unless this has been discussed in advance of the meeting and agreement reached on how it can be done without disrupting proceedings.



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PROCEDURE FOR APPOINTING MEMBERS TO SERVE ON INTERNAL AND EXTERNAL BODIES¶
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Internal bodies¶
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GUIDANCE FOR MEMBERS AND OFFICERS SERVING ON OUTSIDE BODIES¶
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INTRODUCTION¶
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For audit advice - Adrian Thompson, Chief Internal Auditor, on (01603) 222784¶
For advice on Tax issues, please contact Hayley Buckland, Tax Accountant, on (01603) 223177¶
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CHECKLIST¶
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Checklist for protecting Members and officers appoint...

CORPORATE SELECT COMMITTEE – FORWARD WORKPLAN 2021/22

Corporate Select Committee	15 March 2021 Theme: Assets and Transformation	12 July 2021 Theme: People	13 September 2021 Theme: Transformation
Corporate	Part A – <ul style="list-style-type: none"> Asset Management Plan Norfolk Plc update NCC Customer Service Strategy Corporate Select Committee annual report Part B – <ul style="list-style-type: none"> Committee forward plan 	Part A – <ul style="list-style-type: none"> Update on Review of Unconscious and Structural Bias Staff Survey results and planning Digital Norfolk Strategy – progress report Business Transformation and Smarter Working Part B - <ul style="list-style-type: none"> Committee forward plan 	Part A – <ul style="list-style-type: none"> Business Transformation and Smarter Working HR & Finance system replacement – implementation planning Part B – <ul style="list-style-type: none"> Committee forward plan