

Corporate Select Committee

Date: **Monday 15 March 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/G97v5WsvRac>

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 25 January 2021 **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 10 March 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 10 March 2021**.

7 NCC Customer Experience Strategy 2021 to 2026 **Page 15**

Report by the Executive Director of Community and Environmental Services

8 Proposed Amendments to the Council Constitution **Page 32**

Report by the Director of Governance and Monitoring Officer

9 Forward Workplan **Page 140**

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: 5 March 2021



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Corporate Select Committee
Minutes of the Meeting Held on 25 January 2021 at
10 am as a virtual meeting

Present:

Cllr Karen Vincent (Chair)

Cllr Penny Carpenter (Vice-Chair)
Cllr Nigel Dixon)
Cllr Colin Foulger
Cllr Ian Mackie
Cllr Steve Morphew (sub for Cllr Chris Jones)

Cllr Brian Long
Cllr Dan Roper
Cllr Rhodri Oliver
Cllr Margaret Stone
Cllr Sandra Squire
Cllr John Ward

Also Present:

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

1 Apologies for Absence

- 1.1 Apologies for absence were received from Cllr Terry Jermy and Cllr Chris Jones (with Cllr Steve Morphew attending as substitute).

2 Minutes

- 2.1 The minutes of the meeting held on 9 November 2020 were agreed as an accurate record and signed by the Chairman.
- 2.2 Further to paragraph10.5 of the minutes, the Chairman encouraged Councillors to attend workshops planned for 29 January 2021 to input and develop the Customer Services Strategy.

3 Declarations of Interest

- 3.1 There were no declarations of interest.

4 Items of Urgent Business

There were no items of urgent business.

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 **Business Transformation (Smarter Working) Programme**

7.1 The annexed report (7) by the Director of Transformation was received.

7.2 Cllr FitzPatrick (Cabinet Member for Innovation, Transformation and Performance) covered the Introductory section of the report and the actions required of the Committee.

7.3 The Director of Transformation gave the Select Committee a presentation (that can be found on the Committee pages website) that outlined progress made by the Business Transformation and Smarter Working Programme, established following the adoption of 2020-2024 Medium-Term Financial Strategy. The presentation and the report explained the impact of COVID-19 on the programmes' activities, set out the priorities for the next 6 months, provided an opportunity to identify any other areas of work that should be included and asked Councillors to agree when a further report would be made to the Select Committee.

7.4 The presentation pointed out:

- Technology to work from home was in place prior to the March 2020 lockdown.
- Some aspects of Smarter Ways of Working were accelerated as a result of the pandemic.
 - Reducing our travel and venue hire:
 - In-year savings significantly higher than anticipated.
 - Corresponding positive impact on NCCs' carbon footprint with estimated reduction of 41% compared to 19/20.
 - Print and post
 - Reduced print and post due to lockdown with in-year savings increased.
 - Centralised print to post service set-up.
 - Collaborative working
 - Ensured transformation activities were more joined up and outcome focused.
 - Digital inclusion and upskilling were key to successful transformation.
 - Ensured our digital enablers are exploited and our property assets effectively utilised.
- Some areas of transformation activity were paused or slowed.
 - Enabling Districts to better detect fraud and council tax errors.
 - Work was completed and successfully piloted.

- Further work was temporarily paused.
- Scanning and record storage.
 - Good progress was made on scanning and reducing file storage.
- Contracted terms and supplier discounts ceased due to national policy.
- Traded Services
 - Charters gained for Registrations and ICT Solutions.
 - Calibrations underway.
- Work had continued throughout 2000/2021 to improve support for staff in Smarter Working as well as to achieve the savings targets set for the programme and supporting the response to the pandemic.

7.5 In summary, it was pointed out that good progress continued to be made on Transformation and Smarter Working during the pandemic and lockdowns; the savings target for FY20/21 would be exceeded, taking into account in-year savings, by a 150%; anticipated Business Transformation savings were embedded in service budget plans for 21/22 and the next phase approach would focus on supporting service outcomes recognising the range of services that were delivered.

7.6 The Director of Transformation said that the priorities for the next six months would be:

- Engagement regarding current & future Smarter Ways of Working.
- Resolving residual challenges with Smarter Working to ensure staff were working effectively and productively from appropriate locations.
- Smarter ways of Working driving the building rationalisation.
- Maximise our use of technology.
- Delivering the remaining actions under the Peer Review.
- Alignment between HR and Finance Transformation Programme and broader Smarter Working objectives.

7.7 The following were the key points of discussion:

- It was pointed out that the better use of technology and the new smarter ways of working that were set out in the report would help the Council to meet its long-term carbon reduction targets.
- Electric charging points for vehicles were due to be installed at County Hall shortly. After an initial analysis of their use, when further opportunities became available, electric charging points would be situated at other key locations throughout the county.
- Given the length of the Covid-19 emergency, a raft of measures had been put in place throughout 2000/2021 to maintain and improve staff wellbeing and to improve the support available to staff in the use of smarter working. Paragraph 3.1 of the report recognised that engaging with staff about current and future ways of working and the use of property was essential in maintaining staff morale and mental wellbeing. This aspect of smarter working would be made more explicit in future reports to the Committee.
- It was important for the Council to be seen to be focusing on customer experiences and on measuring customer outcomes. A Customer Charter

was being developed that would feed into the next phase of Business Transformation activity and details about this would be included in the next report to the Committee.

- The Chairman drew attention to the range of collaborative measures that were in place to secure additional inward funding through successful external funding bids. This had resulted in 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 day service users.

7.8 **The Committee RESOLVED:**

1. **To acknowledge how the COVID-19 pandemic had continued to impact, in both a positive and negative manner on the Business Transformation (Smarter Working) Programme.**
2. **To acknowledge the identified priority areas for our Business Transformation over the next 6 months that were fully set out in the report.**
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).**

8 **Digital Strategy and Roadmap Progress Update**

- 8.1 The annexed report (8) by the Executive Director of Finance and Commercial Services was received.
- 8.2 Cllr FitzPatrick (Cabinet Member for Innovation, Transformation and Performance) covered the Introductory section of the report and the actions required of the Committee. Cllr FitzPatrick said that the digital strategy and roadmap explained how the Council was going to build on past and current successes to improve connectivity in Norfolk as the Connected Britain Digital Council of the Year 2020.
- 8.3 The Director of IMT & Chief Digital Officer gave the Committee a presentation (that can found on the Committee pages website) that included an executive summary of progress made so far as the strategy continued to be delivered in collaboration with departments, the Council's service delivery partners, key external digital suppliers and internationally recognized technology consultant specialists.
- 8.4 The projects and organisations that were included in the digital roadmap included:
- Oracle (ERP) Replacement
 - ASTEC (Adults digital transformation programme)
 - Childrens Transformation Programme
 - Norfolk Office of Data Analytics (NODA) important in enabling successful partnerships with others.
 - Highways & other services with digital exploitation project teams that build on the core infrastructure, platforms & capabilities.
 - Major application support teams, Social Care, Finance etc, Intelligence & Analytics, Information Governance.
 - The NHS Norfolk & Waveney STP Digital Team

- Norfolk LA IT Managers Group
- Norfolk Office of Data Analytics (NODA)
- New Anglia LEP
- Socitm (National & Regional)
- Cyber Security Groups
- DCMS
- LGA Digital Groups
- MHCLG Digital
- Crown Commercial Services.

8.5 Other key partner organisations included in the work were Norfolk District Councils and the Police. However, the potential scope for integrated technological solutions was less pronounced with these key partners than with the NHS. The move to more digital provision of services and flexible ways of working were cornerstones of the coming digital strategy and roadmap.

8.6 During the presentation the Director of IMT & Chief Digital Officer made clear that the Council remained committed to having the appropriate cyber security measures in place to retain the trust of Norfolk citizens in the ability to provide robust and safe online public services and the Council's ability to safeguard data retention. The digital strategy and roadmap supported this commitment by making sure that all new digital services had security built in by design and by moving to new digital systems and approaches the Council mitigated against the risks posed by unsupported old networks and legacy systems.

8.7 It was pointed out that following this meeting there would be further consultation on the digital strategy with the Council's partners and wider stakeholders before the digital strategy returned to the Corporate Select Committee and Cabinet for final approval. Once completed and approved, the roadmaps would become a key document supporting the organisations strategic direction during the next planning cycle and beyond.

8.8 The following were the key points of discussion:

- The next steps in the consultation process were expected to take between one to two months to complete because of competing priorities (and in particular because of the need to meet the priorities associated with working with the NHS during the pandemic).
- There was always resistance to technological change, however, steps continued to be taken to raise awareness and educate people about the benefits of the wide range of new forms of technology.
- Like many large organisations, the Council was constantly under cyber-attack and had secure systems in place to monitor and reduce the risks.
- Laptops continued to be rolled out to school children at the rate of 1,000 a week. The Council's IT function had been reorganised to deliver these as its number one priority. The majority of roll outs had been completed with assistance from Norfolk companies and by some schools donating to other schools; however, IT connectivity and laptop roll out remained an issue for an estimated 6,000 children in Norfolk, The Director remained to hear back from some schools about difficulties that they were unable to manage for

themselves.

- It was pointed out that some school children who did not have a laptop would be able to gain internet access through electronic gaming machines if they were provided with a keyboard and mouse.
- The Committee placed on record thanks to the Director of IMT & Chief Digital Officer for all the hard work that he and his team had put into Norfolk County Council being recognised as the Connected Britain Digital Council of the Year 2020.
- The Council was actively addressing issues of Improvements in rural connectivity and broadband speed through the Better Broadband for Norfolk Programme, the Norfolk Full Fibre Network Programme and various other initiatives aimed specifically at those living in rural areas. Fixed wireless internet access was one such initiative aimed at reaching out to the 2-3% of households that were unable to obtain other forms of fast broadband.
- It was pointed out that advertised broadband speeds were not always up to the actual speeds but independent information about connectivity speeds was available from a range of sources.
- Councillors spoke about chatbot (basically an automated Artificial Intelligence (AI) system that helped deal with customer services and basic repetitive tasks). It was a computer programme that processed human conversation (either written or spoken), allowing humans to interact with digital devices as if they were communicating with a real person. The ambition of the digital strategy was to have these functions for basic tasks, freeing up people to do more complex tasks. A chat bot to make informed decisions would be rolled out across the county during February.

8.9 The Committee **RESOLVED**:

1. **To acknowledge that the draft Digital Norfolk Strategy and Roadmap provided the feedback on all the changes that the Committee wished to see incorporated.**
2. **To agree that the Strategy and Roadmap were ready to share with wider Public Sector service partners before returning to the Committee/ Cabinet for final approval.**

9 Human Resources and Finance Programme– Update

- 9.1 The annexed report (9) by the Executive Director of Finance and Commercial Services was received.
- 9.2 Cllr FitzPatrick (Cabinet Member for Innovation, Transformation and Performance) covered the introductory section of the report and the actions required of the Committee. Cllr FitzPatrick said that the purpose of the report was to advise the Committee of the progress made to date in delivering the configured system in conjunction with the Business Change Partner (SOCITM) but also to make the Committee aware of the remaining business adoption challenges and the work that was in place in plan to address them.
- 9.3 The Assistant Director Strategy & Governance, gave the Committee a presentation (that can be found on the Committee pages website) on the actions taken since the last substantive report in November 2020 and on the work planned

- as part of the playback approach described in the report for the next 30, 60 and 90 days.
- 9.4 The Committee was informed that the system was due to go live in November 2021. This was the earliest date that this system could technically be achieved and minimised the financial and business implications of a later go-live date. Over the last 3 months over 60 'playback 1' workshops had taken place in preparation for 'playback 2' which would start in February 2021 and run until mid-March 2021 and address some of the more complex aspects of the programme, including the configuration of some areas of traded services and some of the new HR practices that the programme would bring in.
- 9.5 Programme focus areas for the next 30 days included:
- Integrations Design
 - Develop options & decisions on open issues from playback 1
 - Preparation for Playback 2
 - Working with Business Change Partner on-boarding (SOCITM). This would be a strategic twoyear partnership that extended past the go-live date.
 - Comms & Engagement planning
 - Reporting & Analytics Strategy sign-off
- 9.6 Programme focus areas for the next 60 days included:
- Start Playback 2
 - Develop target operating model
 - Cutover planning
 - Set up Change Advocate Network
 - Process mapping
 - Benefits planning
 - Data migration planning
- 9.7 Programme focus areas for the next 90 days included:
- Complete Playback 2
 - Sign off target operating model
 - Build test plans
 - EPM playback planning
 - Reporting sprints prioritisation and planning
 - Finalise Integrations scope and test plans
 - Validation planning
- 9.8 In reply to questions it was pointed out that the project required some very specific skill sets. As well as the assistance provided by the Business Change

Partner(SOCITM), steps were put in place for the recruitment of specialist agency staff and for the Council to achieve the transfer of specialist knowledge to Council staff as the project progressed.

- 9.9 The Chairman said that the project was included in the Committee's risk register and that the Audit Committee had examined the matter at its most recent meeting and found it to be on track

9.10 **The Committee RESOLVED:**

To acknowledge that the Human Resources and Finance Programme is in the implementation phase and that the strategic benefits and focus areas for the next 30, 60 and 90 days are fully contained in the report.

10 **Proposed Amendments to the Council Constitution**

- 10.1 The annexed report (10) by the Director of Governance and Monitoring Officer was received.

- 10.2. The Director summarised the constitutional changes proposed at paragraph 1.3 of the report (and included in the Appendices to the report) and the Committee agreed unanimously on the following detailed changes:

Executive Summary

- The only change proposed is to allow Select Committees to carry out an element of scrutiny in so far as it relates to developing policy, by considering what has worked well, or less well, in the past.
- This change is replicated in other places in the Constitution referring to Select Committees.
- There was also a minor clarification in required in respect of the words relating to the membership of the Standards Committee.

Article 5: Chairing the Council

- Article 5 is deleted, as it duplicates the role descriptions set out in the Annex to Article 2 (Chair and Vice Chair of Council)

Article 6 (renumbered 5): Overview & Scrutiny Bodies

- Renumbered after deletion of article 5 and includes at 5.5 reference to the Children's Services Scrutiny Sub-Committee recently established by the Scrutiny Committee
- Includes at 5.8.1.5 the reference to "scrutiny" referred to under the Executive Summary above

Article 7 (renumbered 6): The Executive

- Includes details of Cabinet members (for ease of reference, instead

of having these set out separately in Appendix 26, which has been deleted)

- The names of Cabinet Members and job titles could be refreshed on the website under delegated authority without the need to have to come back to the Committee each time.

Article 11 (renumbered 10): Officers

- Amendments at 10.1(a) & (e) to reflect change in job title of Executive Director Strategy & Governance, to Strategy & Transformation (note reference to Director of Governance is renamed role of Chief Legal Officer)

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

- Comment to clarify that anyone requesting a written copy of the Constitution will first be directed to the electronic version on the website (Although hard copies will still be provided if necessary)

Appendix 3: Delegations to Members of the Executive

- Only amendment is removal of reference to Appendix 26 as this has been deleted and included in Article 7

Appendix 4: Joint Arrangements

- Amendments to remove reference to Norwich Joint Highways Agency Committee (which no longer exists) and add in reference to Norfolk Parking Partnership and Eastern Inshore Fisheries Company, and include terms of reference

Appendix 14: Officer Employment Procedure Rules

- Removal of roles that are not normally, and need not, be member appointments:
 - Head of Governance & Regulatory Services
 - Head of Information & Technology
 - Director of Procurement
 - Assistant Director of Growth & Development

Appendix 19: Gifts & Hospitality (deleted)

- Deleted – this will be included in the revised Code of Conduct, which will be brought to the next Corporate Select Committee meeting

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

- Amended to include press queries in relation to Standards matters
- Amended to delete the Standards Committee Publicity Protocol, but to add in Press Notices

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

- Clarification at para 26 that Members may visit a school with the permission of the headteacher, principal or equivalent, but will not have the “right” if it is an Academy school.

Appendix 23 (renumbered 22) Principles & Protocols for dealing with the media

Note: this currently says in the Constitution included with the papers that no change is proposed – in fact there is one change at para 3(g) in relation to press releases, currently requiring group leaders and members whose contact details are included on press releases should be alerted “promptly” before press releases are issued to the media. Suggested removal of “promptly” as it is not defined, differs in various cases, and is not clear – suggest this would be better dealt with in discussion with the Comms team

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

- Protocol has been simplified for clarity, and included for ease of reference within Appendix 21 above (now renumbered 20)

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

- Deletion of Appendix E which refers to outdated tax rules – preferable to refer to HMRC rules, need not be in Constitution
- In App B reference to Chair of Norwich Highways Agency Joint Committee will be removed (post does not exist after April 2020)
- Noted that there may be implications for the allowance scheme if Deputy Cabinet Members are appointed at some point in the future.

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

- Included in Article 7 above

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

- No change beyond change of numbering of Appendix

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

- No change beyond change of numbering of Appendix

Appendix 29: Register of Members' Interests (deleted)

- This will be included in the Code of Conduct and brought to the next Corporate Select Committee meeting

10.3 The Committee RESOLVED:

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 of the report.
2. To agree to recommend to Council that the Articles and Appendices set out in para 1.4 of the report 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.

11 Corporate Select Committee Forward Work Plan

11.1 The annexed note (11) by the Executive Director of Finance and Commercial Services was received.

11.2 The Executive Director of Finance and Commercial Services said that the Group Leaders had jointly requested Select Committee to carefully consider if items scheduled for meetings in March 2021 could be rescheduled for later in the year so as to give front staff time to cope with essential operational matters as the Council moved to what was hopefully the final key phase of the Covid-19 pandemic.

11.3 Councillors agreed that apart from the possibility of having to consider a report in March 2021 on the constitution other reports should if possible be rescheduled for later in the year.

11.4 The Committee RESOLVED

That the Chairman and Vice-Chairman be authorised to consider what items need to go to a meeting in March 2021 and the implications any changes has on the shape of the forward work programme.

Chair

The meeting concluded at 12.13 pm

Corporate Select Committee

Item No. 7

Report title:	NCC Customer Experience Strategy 2021 to 2026
Date of meeting:	15 March 2021
Responsible Cabinet Member:	Cllr Margaret Dewsbury (Cabinet Member for Communities and Partnerships)
Responsible Director:	Tom McCabe (Executive Director, Community and Environmental Services)

Introduction from Cabinet Member

The council's customer experience strategy is all about ensuring customers can access information, advice and services and have their needs and expectations met in a fair and consistent way which represents excellent value for money.

Customer expectations continue to evolve, being shaped by experiences they have every day with a wide range of service organisations. This strategy sets out how the council will keep pace with this and:

- provide consistently good service at the same time as delivering on the imperative to reduce costs
- make best use of technology to operate more cost effectively and responsively so maximum value is sustained for customers despite reducing costs
- evolve services in a way which responds to and fulfils the needs of our customers, ensuring good access for people with protected characteristics and those impacted by inequalities

The strategy has been developed by CES Customer Services in consultation with key service departments, to reflect and support delivery of the council's overarching priorities and target outcomes outlined in 'Together for Norfolk', Norfolk County Council's business plan for 2019-2025. Members have also contributed via a workshop which took place in January 2021.

Executive Summary

The general direction of travel for the council's forward-looking customer strategy remains largely unchanged from the previous iteration. The focus is to build further on successes and optimise capabilities developed during the last strategic cycle and these are the key themes:

- Deliver value and a positive experience for every Norfolk customer
- Simple but inclusive, multi-channel customer access model
- A customer led approach to service delivery, design and development

Whilst Customer Services (together with the Library and Information Service face to face offer) constitute the council's 'customer front door', this strategy belongs to the whole county council and is an integral part of service design and delivery for all departments and services. A shared, well supported Customer Experience Strategy is the glue which binds together our offer for our residents, ensuring we respond to the citizens of Norfolk in a joined up, cohesive way, and deliver a consistent, quality customer focused experience in the most cost effective way.

Actions required

- 1. To review and consider the proposed Customer Experience Strategy, as set out in section 2 of this report.**
- 2. To review and consider the Customer Charter as set out in Appendix 1 of this report.**

1. Background and Purpose

- 1.1. The purpose of the Customer Experience Strategy is to define the experience the council strives to provide for residents accessing and receiving information, advice and services and how it will achieve this. Importantly, it is shaped taking into account customer needs, together with opportunities and pressures affecting the wider context within which the council operates. The latter includes for example reducing costs and an increased focus on the council providing early help and advice at 'the front door' to prevent demand into more complex services.
- 1.2. Along with ongoing feedback from Gov Metric which shapes continuous improvement, day to day delivery and has helped shaped the customer charter proposal (see Appendix 1), two customer facing surveys have informed this refresh. The first asked c.300 customers how well the council delivers against customer outcomes, and these were the results:

Target customer outcome*	% agree/positive response
I can deal with the council in the way that best suits me	87%
Information is personalised and meets my needs	75%
Information is easy to find; services are easy to access and use	74%
I receive clear explanations, so I know what to expect	74%
Service is responsive, I am kept up to date	57%
I only have to make a request or tell my story once and the job gets done	55%

*previously identified through customer engagement and insight analysis

- 1.3. The second explored what drives customers to contact the council by phone rather than online which found that:

Of c.5000 customers calling the council's customer service centre	
16% had tried online first but could not find what they needed or there was no online option available	3% were unaware they could have fulfilled their need online
38% called either because they had an emotive attachment to the reason for contact or because they considered it quicker and easier	16% called because they could not get online

- 1.4. These provide useful intelligence for shaping the strategy, demonstrating that:

- **Developments in the council's customer access model are being positively received** (87% of customers are able to deal with the council in the way that suits them). The transformed corporate digital/web offer has been fundamental to this. Year on year, traffic to the council's website is growing by around 30%, and through the course of 2020 the trend in customer satisfaction with the web experience was upward. There has also been notable growth in the take up of online self-serve service options, following new developments and improvements in accessibility in line with new legislation. (As an example, 82% of blue badge applications are now made online versus 50% in 2015 and 67% in 2018 prior to implementation of a new digital offer, including online payment. Since 2018 the average time from application to decision has fallen from 29 to 10 days. The online payment capability has removed the need for, and costs associated with handling and banking cheques. This is a clear demonstration of the customer benefits and efficiencies which can be achieved from such developments).
- **There is capacity to achieve further channel shift** by improving or extending the online offer (16% of customers calling have tried and fail to complete their journey online).
- **For certain types of need service design should recognise customers prefer to use the phone.** There are occasions where, driven by an emotive connection to the reason for contacting the council, a customer may prefer to seek the immediate reassurance of speaking to somebody directly rather than dealing online.
- **When it comes to fulfilment activity, more work is needed on the responsiveness and join up of service provision/fulfilment end to end.** The 'one front door' strategy is key to providing a simple customer access

model, consistent and reliable service delivery and also economies of scale, however a significant proportion of activity (around 80% of calls for example) bypasses this model and is difficult to track, monitor and locate. Also, for many types of customer enquiry or request there remains a hand off into 'back office' operations by a means which 'breaks' the end to end service chain. Increasing the percentage of customers feeling service is responsive and that they only have to tell their story once for the job to get done depends on strengthening the front door model and handling more customer interactions end to end in the council's customer/contact management system.

- **A blended, multi-channel access model remains key** so customers who are digitally excluded can access the information, advice and services they need. Data published by the Office of National Statistics (ONS) shows internet usage is growing most quickly amongst the 65-74 age group so over time, the demographic picture of propensity to deal online is changing and the digital offer is becoming more significant both from the council and customer perspective. But, ONS data also shows most people over 75 have not used the internet in the last 3 months and the Local Government Association assess the risk of digital exclusion in Norfolk as 'high', therefore sustaining a multi-channel access model remains an important element of the council Customer Experience Strategy at this time.

The council's plan for addressing digital exclusion is the subject of a separate, distinct Digital Inclusion Strategy which is being redeveloped and is due to Corporate Select Committee later in the year.

- 1.5. An exercise to review and benchmark the council's customer care standards has also been undertaken and concluded a fresh approach is needed to bring them into line with the customer experience strategy and reset them at the heart of customer facing operations council wide. A proposal for a new customer charter approach is included in Appendix 1 of this report.

2. Proposals

- 2.1. Customer experience is about more than the assistance and advice provided during a service interaction (customer service), it is the sum of all the interactions a customer has over the life of their relationship with an organisation, derived from their experience accessing and receiving information, advice and/or services. In recognition of this, this proposal is for a 5-year 'Customer Experience Strategy' built around the themes and associated objectives outlined in sections 2.2 to 2.4.

2.2. Deliver value and a positive experience for every Norfolk customer

- We will give every interaction a consistent and tangibly customer focused feel, whatever access channel it is delivered over, whatever service it relates to and whichever part of the organisation it is with, by putting customer service standards at the core of everything we do. This will be

underpinned by a council wide commitment to a new customer charter (proposal detailed at Appendix 1)

- We will be easy to deal with and make it as easy as possible for customers to find and access information, advice and council services
- We will deliver high value for customers by working as effectively and efficiently as we can and being relentless about driving out 'waste' such as mistakes and rework
- We will take a 'digital by design' (not 'digital by default') approach to further extending the council's range of online services to ensure we are accessible to all customer groups
- Through further growth and development of an accessible online offer, we will ensure access for those with protected characteristics, modernise the customer experience and reduce our 'cost to serve'

2.3. **Simple, inclusive, multi-channel customer access model**

- We will provide information and services to customers over a range of access channels
- For customers accessing universal information, advice and services we will continue to build on the centralisation or 'one front door' principle across access channels (phone, online and mail) because this:
 - o provides a more holistic, comprehensive, consistent customer experience
 - o is a key part of how we make the council easy for customers to access and deal with (single point of access)
 - o protects specialist resources for the most vulnerable
 - o supports compliance with regulatory standards
 - o delivers efficiencies and economies of scale
- Working in partnership with Norfolk's District Councils and voluntary sector and to provide a more seamless customer experience, we will grow our universal information and advice offer to make the most of community assets and support the local offer and prevention
- We will enhance our universal information and advice offer online, building on the Norfolk Community Directory as our core vehicle

2.4. **Customer led approach to service design, delivery and development**

- We will grow our capability to track and measure customer experience end to end, working to make monitoring and measuring delivery against customer service standards an integral part of the council's performance management processes
- We will better understand customer needs, behaviours and interactions by making appropriate and intelligent use of data to inform development and changes, so customer journeys and services are designed with them in mind, connected together where this makes sense and so customers don't have to join the dots themselves
- We will develop the capability to link together data about separate interactions and build a 'single customer view', so we can see what

services customers may benefit from or be interested in. We will seek to help them avoid the need for higher end services at a later date by offering relevant information, advice or services

- We will further embed inclusive design into our customer access and service model

- 2.5. The Customer Relationship Management (CRM) system and myNorfolk online account implemented during the last strategy cycle are integral to delivering on this customer experience strategy. Further exploiting these enablers and joining them up with core line of business applications/portals (e.g. Synergy Web) is key to providing customers with simple access through 'one front door'.

Reducing cost to serve, tracking and measuring customer experience end to end and 'single customer view' are all dependent on further extending the use of these enablers. They join up front and back office operations, so customers experience responsive service and only have to tell their story once. The benefits of such an approach are clear, in response to the Covid-19 pandemic a platform was developed which is shared across the Norfolk system and used to manage the needs of Clinically Extremely Vulnerable customers (the Norfolk Vulnerability Hub). It will be important going forward to extend on and not lose the benefits of this joined up way of working for the council, its partners and customers.

3. Financial Implications

- 3.1. Further extending the digital self-serve offer for universal information and advice and also simple transactional needs can create savings for the council. According to Government data, a digital service is 20 times cheaper than a phone transaction, 30 times cheaper than a postal transaction and 50 times cheaper than a face to face transaction.

Strengthening the front door and moving to a more centralised model for customer contact, whilst requiring some growth in 'front office' resources, delivers economies of scale overall. As an example, the government calculates the average cost of a 'back office' phone interaction at £6.60. For 2019/20 the cost per contact in the council's Customer Service Centre was £3.08 (down from £4.62 in 2014/15).

There is a still a significant proportion of customer contact activity which can be shifted to the centralised and/or digital model. Doing so will create capacity (through managing demand differently), or cashable savings depending on the service and success of implementation.

Departmental savings plans (2021-25) target £1.73m through 'making the best use of technology to make everyday transactions more efficient', £0.38m through 'digitising print, post, scan and record storage' and £4.8m through efficiencies from 'continuing our smarter working programme'. The £1.7m ongoing capital investment required to support this customer experience

strategy over the full 5-year cycle is a significant enabler to achievement of the broader savings agenda.

4. Resource Implications

4.1. Staff:

The digitisation and centralisation of customer activity whilst achieving overall economies of scale, does generate relatively small growth for the council's 'front door' teams.

For example, along with other benefits the digitisation of post delivers efficiency savings by moving from a dispersed to a centralised model for opening and distribution (£0.38m). But it creates additional post preparation and scanning functions for the Customer Services Fulfilment Team and additional capacity is needed to manage that.

Extending the council's digital offer again creates overall savings (£1.73m) but means more online content and services to develop, support and maintain, requiring additional capacity in the teams managing digital customer platforms, including the Digital Content Team in Customer Services.

And as more enquiries pass through the council's Customer Service Centre, more resource is needed to manage them. This is expected to be offset to a degree as simple, transactional customer activity shifts online.

4.2. Property:

N/A

4.3. IT:

Expertise, advice and support from IMT in relation to the telephony, web, customer and line of business applications and portals infrastructure to support this strategy remains crucial. As does the provision of digital infrastructure across Norfolk, enabling optimum take up of online services by customers.

5. Other Implications

5.1. Legal Implications

N/A

5.2. Human Rights implications

N/A

5.3. **Equality Impact Assessment**

An equality impact assessment has been completed in relation to this strategy proposal and has concluded there are no adverse impacts or legal impediment to going ahead with this proposal. It is possible to conclude the strategy may have a positive impact on some people with protected characteristics, for reasons set out in the assessment which is contained in Appendix 2 of this report.

5.4. **Health & Safety implications**

N/A

5.5. **Sustainability implications**

N/A

5.6. **Any other implications**

N/A

6. **Actions required**

- 6.1.
 1. To review and consider the proposed Customer Experience Strategy, as set out in section 2 of this report.
 2. To review and consider the Customer Charter as set out in Appendix 1 of this report.

7. **Appendices**

- 7.1. Appendix 1 – Customer charter proposal
Appendix 2 – Equality impact assessment

Officer Contact

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

Officer name: Michelle Carter **Tel No:** 01603 222506

Email address: michelle.carter2@norfolk.gov.uk



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Norfolk County Council

Customer Experience Strategy

Appendix 1

Customer Charter Proposal

4 February 2021

Michelle Carter

Norfolk County Council Customer Charter

The Council is here to help the people of Norfolk and aim to give you high quality customer service. However you contact us we will:

- **Listen to you** and take your views and needs seriously
- **Be polite, professional** and treat you with courtesy and respect and expect the same in return, from you
- **Avoid the use of jargon** and explain any technical language
- **Answer your enquiry the first time you contact us if we can** – and keep you up to date if it takes us longer
- **Protect and use your personal information** in line with our [privacy notice](#)
- **Provide information in other ways** if you need this, acknowledging and accommodating any specific disability related or translation requirements
- **Proactively seek your feedback** and use it to make services better

Online Standards

Our digital offer is the most comprehensive, convenient and responsive way to connect you with information, advice and council services. Our aim is to make it as straightforward and convenient to use as possible by minimising the number of sign ins/passwords you need to deal with us online.

When you use our website, we will:

- Make sure it is accessible – read our [accessibility statement](#)
- Make it as easy as possible to find what you are looking for
- Give you information which is relevant and personal to you in a way which is clear and easy to understand
- Provide content you can trust and rely on as a current and authoritative source of information and advice
- Make sure it works on a mobile or tablet
- Acknowledge receipt of anything you submit online so you know it is being dealt with and what to do if you have questions
- Make sure it complies with the [local digital declaration](#) so you can use it with confidence

Phone, email and letter standards

When you phone us, we will:

- Answer your call as quickly as we can

- Give you our name and department so you know who you are talking to
- Resolve as much as we can for you at your first point of contact
- Make sure you only have to tell us your details and the reason for your call once if we have to transfer you to somebody else
- Call you back if you leave us a message

When you email one of the addresses advertised on our website or write to us, we will:

- Acknowledge your email and provide an update or full response within 5 working days where possible
- Provide a response to your letter within 10 working days of receipt where possible

Let you know if we need longer, why and who to contact if you need more information

Face to face standards

When you visit us for an appointment, we will:

- Make sure our buildings are easy to access and Covid secure
- Greet you when you arrive
- Be approachable, professional, courteous and helpful
- Make sure you can see our name badges
- Provide clear signs in our reception areas
- Provide a seated waiting area and private interview facilities
- Get help as soon as possible if you have special communication or access needs

When we visit you, we will:

- Where possible, arrange a mutually convenient time and place
- Arrive on time – but if we are delayed, we will let you know why
- Wear clear identification
- Introduce ourselves and explain the purpose of the meeting
- Make sure you have all the information you need at the end of the meeting and are clear on what will happen next and when
- Expect you to treat our staff with courtesy and respect. We will not tolerate the use of physical or verbal abuse in any form, including the use of foul and abusive language



Norfolk County Council

Customer Experience Strategy Appendix 2

Equality Impact Assessment – Findings and Recommendations

4 February 2021

Michelle Carter

1. The proposal – Customer Experience Strategy

The purpose of this strategy is to define the council's offer to residents for accessing and receiving information, advice and services, the experience it will deliver when they do so and how it plans to achieve this. It is shaped taking into account customer needs, and the opportunities and pressures affecting the wider context within which the council operates.

It is a refresh of the customer service strategy 2015-20, from which the direction of travel remains broadly unchanged.

The key themes in the forward-looking strategy are:

- Value and a positive experience for every Norfolk customer
- Simple but inclusive, multi-channel customer access model
- A customer led approach to service delivery, design and development

2. Legal context

- 2.1 Public authorities are required by the Equality Act 2010 to give due regard to equality when exercising public functions¹. This is called the 'Public Sector Equality Duty'.
- 2.2 The purpose of an equality impact assessment is to consider the potential impact of a proposed change or issue on people with protected characteristics. If the assessment identifies any detrimental impact, this enables mitigating actions to be developed.
- 2.3 It is not always possible to adopt the course of action that will best promote the interests of people with protected characteristics. However, equality assessments enable informed decisions to be made that take every opportunity to minimise disadvantage.

3. Information about the people affected by the proposal

- 3.1 The council's customer base and therefore the impact of this proposal comprises all residents in Norfolk who contact / access the council for information, advice or services.
- 3.2 This includes residents with a range of protected characteristics, in relation to disability, sex, gender reassignment, marital or civil partner status, pregnancy and maternity, race, religion/belief, age and sexual orientation.
- 3.3 The following table shows a demographic breakdown of the customer base by protected characteristic:

Protected characteristic	Breakdown (Norfolk Insight data - 2019)	
Gender reassignment	Not available	
Age	0-17	18.9%
	18-64	56.6%
	65+	24.5%
Being married or in a civil partnership	Divorced	10.1%
	In a registered same-sex civil partnership	0.2%
	Married	50%

	Separated (but still legally married or still in a same sex civil partnership)	2.3%
	Single (never married or never registered in a same sex civil partnership)	29.5%
	Widowed or surviving partner from a same sex civil partnership	7.9%
Disability	Day to day activities limited a lot	9.1%
	Day to day activities limited a little	11%
	Day to day activities not limited	79.9%
Race including colour, nationality, ethnic or national origin	Asian/Asian British	1.5%
	Black/African/Caribbean/Black British	0.5%
	Mixed/Multiple ethnic groups	1.2%
	Other ethnic group	0.3%
	White	96.5%
Religion or belief	Buddhist	0.3%
	Christian	61%
	Hindu	0.3%
	Jewish	0.1%
	Muslim	0.6%
	Sikh	0.1%
	Other religion	0.5%
	No religion	29.6%
Sex	Male	49.1%
	Female	50.9%
Sexual Orientation	Heterosexual or straight	94.8%
	Gay or lesbian	0.9%
	Bisexual	0.8%
	Other	0.3%

Where total does not equal 100%, don't know or prefer not to respond answers are excluded

4. Potential impact

4.1 Based on the evidence available, this proposal is not likely to have a disproportionate impact on people with protected characteristics. In fact, the commitment to embed inclusive design into the way the council engages with customers and provides access to information, advice and services, will have a positive impact.

4.2 An assessment of the impact per protected characteristic group follows:

Race Equality
We do not envisage any impact on this protected group. We will ensure published content and materials illustrate diversity in a positive way and promote participation across all ethnic groups, and that access to services and service provision delivers equality. This would include the use of translation services and provision of printed materials in other languages where this is required to assist access to services, for example by Norfolk's Eastern European communities.
Disabled People
Norfolk has a disabled population of 20%, slightly higher than the UK average. Norfolk Insight data shows 9.1% of Norfolk residents have health problems / disabilities which limit their day-to-day activities 'a lot', compared to 7.4% across the East of England. This strategy will positively impact on this group as service accessibility via channels other than face to face becomes more mainstream, helped

also by the imperative of the coronavirus pandemic which has seen extended use of innovative and alternate communication and engagement approaches.

There is also a particular focus on improving standards of accessibility over our customer access channels which will benefit this group (e.g. web accessibility standards), whether they access the council for universal needs (recycling, schools, etc), or for critical services specifically relating to their disability. In relation to digital accessibility the aim is to deliver AA compliance against Web Content Accessibility Guidelines (WCAG), though the Customer Services and Equality, Diversity & Inclusion teams are engaged ongoing to further and continually improve accessibility standards.

The 'digital by default' and multi-access channel approaches in this strategy are designed to ensure residents are not disadvantaged by digital exclusion, including the 10% of Norfolk's disabled population to whom this applies.

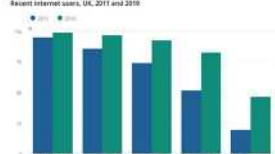
Gender

We do not anticipate any impact. We will ensure published content and materials take into account and encourage participation across all genders and are not biased in any way.

Age

24.5% of Norfolk residents are aged 65 or over, compared to 19.9% for the East of England. Statistics published by the Office of National Statistics show internet use is growing most quickly amongst the 65-74 age group (13% for Norfolk according to Norfolk Insight), but that most of those over 75 (11.5% for Norfolk according to Norfolk Insight), have not used the internet in the last 3 months.

Figure 1: Since 2011, the 65 to 74 years age group has seen the largest increase in recent internet use



Source: Office for National Statistics - Labour Force Survey

Figure 2: Most adults aged 75 and over have not used the internet in the last three months



This suggests age remains a factor in propensity and capability to access digital information and advice, and self-serve online. In recognition of this the strategy retains a 'digital by design' and not 'digital by default' approach to customer service transformation and outlines the council's plan to continue to operate a multi-channel access model.

Our own data from a survey conducted over the summer of 2020, identified that 16% of customers calling the council's customer service centre were not able interact with the council online.

Religion

We do not envisage an impact on this protected group. We will ensure published content and materials illustrate diversity in a positive way and promote participation across all religious groups and access to services and service provision delivers equality.

Sexual Orientation

We do not envisage an impact on this protected group. We will ensure published content and materials illustrate diversity in a positive way and promote participation across all sexual orientation groups and access to services and service provision delivers equality.

Gender reassignment

We do not envisage an impact on this protected group. We will ensure published content and materials illustrate diversity in a positive way and promote participation across all groups and access to services and service provision delivers equality.
Pregnant women
We do not envisage an impact on this protected group. We will ensure published content and materials illustrate diversity in a positive way and promote participation across all groups and access to services and service provision delivers equality.
Marriage or civil partnership
We do not envisage an impact on this protected group. We will ensure published content and materials illustrate diversity in a positive way and promote participation across all groups and access to services and service provision delivers equality.

5. Conclusion

- 5.1 There is no legal impediment to going ahead with this proposal. It should be implemented in full accordance with due process, national guidance and policy. Similar proposals have been implemented elsewhere in the UK.
- 5.2 It is possible to conclude that the proposal may have a positive impact on some people with protected characteristics, for reasons set out in this assessment.

6. Recommended actions

	Action	Lead	Date
1.	Embed process for ongoing monitoring of web accessibility standards and requirements to ensure digital offer adequately supports the needs of disabled people	Fran Grimmer/Neil Howard	30 June 2021
2.			
3.			

7. Evidence used to inform this assessment

- Norfolk County Council's [Equality, Diversity & Inclusion Policy](#)
- Norfolk County Council's [Equality, Diversity & Inclusion Objectives](#)
- Norfolk County Council [Area Reports](#) on Norfolk's JSNA relating to protected characteristics:
- Business intelligence and management data, as quoted in this report
- Equality Act 2010 and Public Sector Equality Duty codes of practice

8. Further information

For further information about this equality impact assessment please contact Michelle Carter, Head of Customer Service (michelle.carter2@norfolk.gov.uk).



If you need this document in large print, audio, Braille, alternative format or in a different language please contact the Customer Service Centre on 0344 300 8020 or 18001 0344 800 8020 (Text relay).

Corporate Select Committee

Item No. 8

Report title:	Proposed Amendments to the Council Constitution
Date of meeting:	15 March 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 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>This Committee subsequently reviewed further proposed amendments at its meeting on 21 January 2021 and agreed that they should be recommended to Council at its meeting on 19 April 2021.</p> <p>This report is to enable the Committee to consider further proposed amendments to the Constitution, as set out in para 1.3 below. If agreed they will be recommended to Council on 19 April 2021 along with proposed amendments previously agreed. A summary of all the sections of the Constitution showing where changes are to be recommended is attached as Appendix 1.</p> <p>Actions required:</p> <ol style="list-style-type: none">1. To agree the amendments proposed for recommendation to Council on 19 April 2021, as set out in para 1.3 below.2. To agree that the Director of Governance may make further amendments for proposal to Council, should the need for any arise after the meeting of this Committee, in consultation with the Chair and Vice Chair 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. It is proposed that the Committee considers and recommends to Council that the following appendices should be amended. Track changed versions of the amendments are attached at Appendix 2, and are summarised below:

Original numbering	Revised numbering (if appropriate)	Section	Summary of proposed change
App 2		Composition, Terms of Reference of Regulatory and Other Committees	Add East of England Ambulance trust to membership of health & Wellbeing Board (as recommended by Health & wellbeing Board)
App 2A		Statutory Scrutiny	Changes to NCCSP terms of Reference etc
App 5		Scheme of Delegated Powers to Officers	Slight change of delegations between ED CES & Chief Fire Officer (may be further minor changes under Director of Governance delegated powers, or recommendations to April Council if necessary)
App 13		Access to Information Procedure Rules	Amendment to para 1.5 to confirm commitment to keeping exempt information to the minimum necessary
App 17		Register of Members Interests & Members Code of Conduct	Deleted & replaced by new LGA code
App 19	Deleted	Gifts & Hospitality – A Code of Conduct for Councillors	Relevant content in App 17, remainder that is

			relevant will be in a handbook for councillors
App 30	App 27	Monitoring Officer Protocol	Amend declaration value to £50 to reflect proposed Code of Conduct (Annex para B)
App 33	Deleted	Guidance for Members serving on outside bodies	Deleted – to be included in a separate handbook

1.4. The most significant change is the adoption of the revised Code of Conduct. This was considered at a meeting on 18 January 2021 by the Standards Committee, which recommended the adoption of the Local Government Association's Model Code, with some changes to the requirement to declare other interests, retaining the Council's current provisions for this, rather than the more onerous LGA recommendations.

1.5. At the time of writing this report, it is still not known whether local authorities will be permitted to hold remote meetings after the May elections. If the current legislation is amended to allow remote meetings to continue, amendments will be made to include the provisions for such meetings. Further, the Constitution should be a living document, and will be kept under review and further changes may be proposed in the new municipal year.

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 meeting on 19 April 2021.

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. As set out in the recommendations.

Officer Contact

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

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Helen Edwards

Tel No.:
01603
493627

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



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Appendix 1: SUMMARY OF CONSTITUTION CHANGES PROPOSED

Original numbering	Revised numbering (if appropriate)	Section	Summary of proposed change	Action
		Executive summary	<p>The only change proposed is to allow Select Committees to carry out an element of scrutiny in so far as it relates to developing policy, by considering what has worked well, or less well, in the past.</p> <p>This change is replicated in other places in the Constitution referring to Select Committees.</p>	Agreed by Corporate Select Committee (CSC) at Jan 2021 meeting
Art 1		The Constitution	None	None
Art 2		Members of the Council	None	None
Art 3		The Public and the Council	None	None
Art 4		The Full Council	None	None
Art 5	Deleted	Chairing the Council	Deleted, as it duplicates the role descriptions set out in the Annex to Article 2 (Chair and Vice Chair of Council)	Agreed by CSC at Jan 2021 meeting
Art 6	Art 5	Overview & scrutiny arrangements	Renumbered after deletion of article 5 and includes at 5.5 reference to the Children's Services Scrutiny Sub-Committee	Agreed by CSC at Jan 2021 meeting

			established by the Scrutiny Committee Includes at 5.8.1.5 the reference to “scrutiny” referred to under the Executive Summary above	
Art 7	Art 6	The Executive	Includes details of Cabinet members (for ease of reference, instead of having these set out separately in Appendix 26, which has been deleted)	Agreed by CSC at Jan 2021 meeting
Art 8	Art 7	Regulatory & Other Committees	Amalgamated former Articles 8 & 9	None (administrative change only)
Art 9	Deleted	The Standards Committee	Deleted as a separate article and included in Art 7 above	None (administrative change only)
Art 10	Art 8	Joint Arrangements	None	None
Art 11	Art 9	Officers	Amendments at 9.1(a) & (e) to reflect change in job title of Executive Director Strategy & Governance, to Strategy & Transformation (note reference to Director of Governance is renamed role of Chief Legal Officer)	Agreed by CSC at Jan 2021 meeting
Art 12	Art 10	Decision making	None	None
Art 13	Art 11	Finance, Contracts and legal Matters	None	None
Art 14	Art 12	Review and Revision of the Constitution	None	None
Art 15	Art 13	Suspension and Publication of the Constitution	Updated to refer to electronic copy of Constitution	Agreed by CSC at Jan 2021 meeting

App 1		Summary of Executive Arrangements	Numbering updated	None (administrative change only)
App 2		Composition, Terms of Reference of Regulatory and Other Committees	Add East of England Ambulance trust to membership of health & Wellbeing Board (as recommended by Health & wellbeing Board)	Consider at March meeting
App 2A		Statutory Scrutiny	Changes to NCCSP terms of Reference etc	Consider at March meeting
App 3		Delegations to Members of the executive	Delete reference to App 26	Agreed by CSC at Jan 2021 meeting
App 4		Joint Arrangements	Amendments to remove reference to Norwich Joint Highways Agency Committee (which no longer exists) and add in reference to Norfolk Parking Partnership and Eastern Inshore Fisheries Company, and include terms of reference	Agreed by CSC at Jan 2021 meeting
App 5		Scheme of Delegated Powers to Officers	Slight change of delegations between ED CES & Chief Fire Officer (may be further minor changes under Director of Governance delegated powers, or recommendations to April Council if necessary)	Consider at March meeting
App 6		Proper Officer Provisions	None	None
App 7		Council Procedure Rules	Para 15 amended to allow roll to be called or alternatively	Agreed by CSC at Jan 2021 meeting (Note – may

			indicate presence as requested by Chair	be amended prior to April Council meeting if remote meeting regulations extended)
App 8		Committee Procedure Rules	None	None
App 9		Cabinet Procedure Rules	None	None
App 10		Overview & Scrutiny Procedure Rules	None	None
App 11		Councillor Call for Action	None	None
App 12		Budget and Policy Framework Rules	None	None
App 13		Access to Information Procedure Rules	Amendment to para 1.5 to confirm commitment to keeping exempt information to the minimum necessary	Consider March meeting
App 14		Officer Employment Procedure Rules	Removal of roles that are not normally, and need not, be member appointments: -Head of Governance & Regulatory Services -Head of Information & Technology -Director of Procurement -Assistant Director of Growth & Development	Agreed by CSC at Jan 2021 meeting
App 15		Financial Regulations	None	Agreed at Council November 2020

App 16		Contract Standing Orders	Social value amended to include young people in care & care leavers as agreed by CSC	Agreed by CSC at Jan 2021 meeting
App 17		Register of Members Interests & Members Code of Conduct	Deleted & replaced by new LGA code	Consider at March meeting
App 18		Planning procedures – Code of best Practice	None	None
App 19	Deleted	Gifts & Hospitality – A Code of Conduct for Councillors	Relevant content in App 17, remainder that is relevant will be in a handbook for councillors	Consider at March meeting
App 20	App 19	Members protocol for Contracts & Purchasing	None	None
App 21	App 20	Standards Committee: Rules of Procedure for Hearings	Amended to include press queries in relation to Standards matters Amended to delete the Standards Committee Publicity Protocol, but to add in Press Notices	Agreed by CSC at Jan 2021 meeting
App 22	App 21	Protocol on Member/ Officer relations	Clarification at para 26 that Members may visit a school with the permission of the headteacher, but will not have the “right” if it is an Academy school	Agreed by CSC at Jan 2021 meeting
App 23	App 22	Principles and Protocols for dealing with the media	None	None
App 24	Deleted	Standards Committee Publicity Protocol	Protocol has been simplified for clarity, and included for ease	Agreed by CSC at Jan 2021 meeting

			of reference within Appendix 20 above	
App 25	App 23	Member Allowances Scheme	Deletion of Appendix E which refers to outdated tax rules – preferable to refer to HMRC rules, need not be in Constitution In App B reference to Chair of Norwich Highways Agency Joint Committee will be removed (post does not exist after April 2020) Note App A current allowances will be updated when published on website to reflect agreed allowances applicable at the time	Agreed by CSC at Jan 2021 meeting
App 26	Deleted	Details of members of the Executive	Included in Article 7	Agreed by CSC at Jan 2021 meeting
App 27	App 25	Corporate Management structure	Updated to reflect revised position	None (factual amendment only)
App 28	App 26	Public Speaking at Committee	None	None
App 29	Deleted	Register of members' Interests	Incorporated as required in App 17	Agreed by CSC at Jan 2021 meeting
App 30	App 27	Monitoring Officer Protocol	Amend declaration value to £50 to reflect proposed Code of Conduct (Annex para B)	Consider at March 2021 meeting
App 31	App 28	Protocol on the use of media equipment at meetings held in public	None	None
App 32	App 24	Procedure for appointing Members to	Amended to remove reference to App 34 which is deleted	None (administrative change only)

		serve on internal and external bodies		
App 33	Deleted	Guidance for Members serving on outside bodies	Deleted – to be included in a separate handbook	Consider at March meeting

CONSTITUTION

APPENDIX 2

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).

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
[East of England Ambulance 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 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 six 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 includes the establishment of ad hoc Disciplinary Action panels to discharge this function.

APPENDIX 2A

STATUTORY SCRUTINY

Commented [EH1]: Numbering needs tidying up

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.

2.0 Membership of the Norfolk Health Overview and Scrutiny Committee

(1) 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 Chair to be elected from the Norfolk County Council Members on the Committee, on an annual basis.
- The Vice-Chair to be elected from the Norfolk District Council Members on the Committee, on an annual basis.

i. 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

1. 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'.
2. 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.

b. Terms of Reference of the Norfolk Health Overview and Scrutiny Committee

Aims of the Committee

- 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.
- 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.
- 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

- (b) 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.
- (c) 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).
- (d) 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.

- (e) 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.

c. Operation of the Norfolk Health Overview and Scrutiny Committee

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

(a) 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>

• Functions of the Norfolk Police and Crime Panel

- The functions of the PCP must be exercised with a view to supporting the effective exercise of the functions of the PCC for Norfolk:
- The PCP must: -
 - review the draft police and crime plan, or draft variation given to the PCP by the PCC, and
 - make a report or recommendation on the draft plan or variation to the PCC.
- The PCP must: -
 - 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;
 - ask the PCC, at that meeting, such questions about the annual report as the members of the PCP think appropriate;
 - review the annual report, and
 - make a report or recommendations on the annual report to the PCC.

- The PCP must hold a confirmation hearing to review the proposed appointment by the PCC of:
 - the PCC's chief executive
 - the PCC's chief finance officer
 - 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.

- 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.
 - i) 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.
 - ii) The PCP must: -
 - a. review or scrutinise decisions made, or other action taken, by the PCC in connection with the discharge of the PCC's functions; and
 - b. 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.
 1. 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.
 2. The PCP must fulfil functions in relation to complaints about conduct matters, in accordance with the responsibilities given to the PCP by the Act.
 3. The PCP must appoint an Acting PCC in the circumstances set out in the Act.
 4. The PCP may not exercise any functions other than those conferred by the Act.

- **Scrutiny of the Norfolk Countywide Community Safety Partnership**

- 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

- The role of the Norfolk Countywide Community Safety Partnership Sub Panel is to:
- Scrutinise on a quarterly basis 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 Chair to be elected from the County Council Members on the Sub Panel on an annual basis.
- The Vice Chair to be elected from other members on the Sub Panel on an annual basis.

Working Style

- .

- The Community Safety Scrutiny Sub Panel meetings will be held ~~on an annual basis~~ [quarterly](#) to scrutinise the [progress being made with delivering the Community Safety Partnership Plan](#) and on such other occasions as are required.
- [The Chair will provide regular update reports to the Scrutiny Committee.](#)
- 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 of the County Council's constitution.

General issues

- Democratic support to the Sub Panel will be provided by the County Council.

APPENDIX 5

SCHEME OF DELEGATED POWERS TO OFFICERS

1. GENERAL CONDITIONS APPLYING TO ALL DELEGATED POWERS

1. Chief Officers (which for the purpose of this Scheme includes the Heads of Service listed in Section B of this Scheme) are authorised within the scope of this Scheme to exercise the powers and duties of the County Council in relation to the service and activities for which they are responsible, and the professional and managerial responsibilities of their posts. They are accountable to the elected Members of the County Council for the efficient and economic discharge of these responsibilities. Members are accountable to the public and are responsible for all major matters which impact upon the public in the course of the County Council exercising its powers and duties.
2. Subject to the provisions of this Scheme, but without otherwise limiting the scope of paragraph 1, the powers delegated to Chief Officers include:
 1. issuing and serving statutory notices
 2. granting any licence, consent, approval, permission certificate or authorisation with or without conditions, or their refusal
 3. fixing, varying, deferring and waiving charges and similar payments (and associated conditions) which the County Council is entitled to impose
 4. signing documents
 5. authorising entry onto land
 6. inspecting land and premises and things on premises
 7. making grants (subject to any limitations imposed by Members in Council or Committee)
 8. making Statutory Orders and Schemes
 9. instituting criminal proceedings
 10. declaring land to be surplus to the requirements of their service
 11. delivering the approved capital programme for their service

In addition, the Senior Trading Standards Officers listed in Section B of this Scheme have the specific powers to institute legal proceedings they're referred to.

1. Officers can only act within delegated powers and these are exercisable subject to:
 - (a) strategies, policies, priorities and Financial Regulations determined by the Members of the County Council;
 - (b) referral to the Executive for consultation or decision on all matters of public controversy or undecided matters of policy or substantial change from previous practice or which involve difficult or major issues where custom and practice or initial consultation with elected Members indicates that such referral should take place;
 - (c) compliance with the law and all policies, Regulations, Orders, codes, protocols, and similar documents approved by Council, the Leader, the Cabinet, or a relevant Committee;
 - (d) consultation with appropriate officers and proper regard to any advice given;
 - (e) other specific delegations in this Scheme or similar documents to another officer;
 - (f) decisions by the Head of Paid Service or the Monitoring Officer on whether Chief Officers should exercise any delegated power;
2. In addition to the constraints referred to above, there are exceptions to all officers' delegated powers. In particular, there is no delegation to officers of:
 - (a) matters specifically reserved to the Council, the Leader, the Cabinet or a Committee;
 - (b) approval to exceed the provision in the revenue or capital budgets for their service responsibilities; (subject to the rules on virement contained in the Financial Regulations in Appendix 15);
 - (c) decisions on permanent savings in the budget to achieve the Council's policies;
 - (d) the making of an Order for the compulsory acquisition of land;
 - (e) the right to determine a major employee reorganisation;
 - (f) Any key decision falling within the definition set out in Article 10.3 which:-
 - recommends a budget to the full Council
 - proposes an amendment to the Council's Policy Framework (as defined in the Constitution)
 - involves the adoption of any other policy or a works programme
 - 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 an estimated value of £1.25M unless covered by a specific item in the budget
- involves a budget virement of funding in excess of the virement limit to be set out in the Constitution
- recommends the promotion or amendment of local legislation
- involves significant public, private and voluntary partnership working in Norfolk
- involves the making of a Statutory Order or Scheme which will have a significant impact on the delivery of County Council services
- proposes significant changes to the Constitution

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.

3. A Chief Officer need not exercise their delegated power in any particular matter and must not do so if in their opinion the matter involves questions of policy as yet undecided by the Council or Committee or any substantial change from previous practice.
4. The Leader, with the exception of functions which are not to be the responsibility of the Executive, may, following consultation with the Head of Paid Service and Monitoring Officer, withdraw any delegations made by them by giving written notice to that effect to the relevant Chief Officer and copied to the Head of Paid Service and Monitoring Officer. The delegation may be withdrawn either generally or in a specific case and the withdrawal will take effect immediately the notice is given. The notice withdrawing the delegated power will also state who will exercise the delegated power in the place of the relevant Chief Officer. In the case of the delegation of a professional or technical matter, that person must be someone suitably qualified.

GENERAL CONDITIONS APPLYING TO ALL DELEGATED POWERS LISTED BELOW

1. The delegated powers in Section B of this Scheme must be exercised.
 - (a) In accordance with any relevant policies of the County Council.
 - (b) In consultation with appropriate officers and after paying proper regard to any advice given.
2. (i) Any power conferred upon a Chief Officer (which for this purpose includes the Heads of Service listed in Section B of this scheme) may be exercised in the name of the Chief Officer by their Deputy or another Senior Officer authorised in writing to do so by the Chief Officer.

3. In addition, a Chief Officer may authorise in writing any named officer to exercise a delegated power:
 - (a) in their absence, or
 - (b) when they are otherwise not available to exercise it at the relevant time.
4. Any authorisation under paragraphs (i) and (ii) must be documented.
5. Any authorisations given under paragraphs (i) and (ii) will be recorded in the Schedule at the end of this Appendix.
6. Chief Officers shall also be required to liaise with and inform:
 - (a) the relevant Cabinet Member regarding the exercise of powers and duties in appropriate cases;
 - (b) the local Member on those issues listed in the Local Member Protocol at the end of this Appendix.
7. A Chief Officer need not exercise their delegated power in any particular matter and unless prohibited by law, may instead refer the matter to Members for a decision.
8. Failure to carry out the consultations in paragraph 1(b) and 3 will not invalidate the exercise of the delegated power.
9. Where in the opinion of the appropriate Chief Officer and of the Head of Governance and Regulatory Services a decision which would otherwise be a Planning Regulatory Committee decision is required urgently, that Chief Officer, after consultation with any other appropriate Chief Officers, the Committee Chair and the main political group Spokespeople thereof, may take such a decision in respect of any matter falling within the remit of the Committee on the understanding that details of the matter, together with the decision, are reported by way of letter, to the Members of the Committee. In the event of there not being unanimous agreement between the Party Spokespeople, the matter should be referred to the Urgent Business Sub-Committee.
10. Any reference in these delegations to any Act or Statutory Instrument or any section or clause thereof, is deemed to refer to the same as at any time amended, and where such Act, Instrument, section or clause has been replaced, consolidated, or re-enacted, with or without amendment, such mention shall be deemed to refer to the relevant provisions of the replacing, consolidating or re-enacting statute or instrument.
11. The power to grant licences, consents, approvals, permissions, certificates and authorisations includes the power to vary, revoke or refuse such licences etc. and to grant them with or without conditions.
12. This Scheme does not apply to the statutory responsibilities placed on the Head of Paid Service, Executive Director Finance & Commercial Services and Director of Governance nor to any non- statutory tasks which Central Government from time to time requests of individual Chief Officers.

13. Any decision or appointments made, or authorisation given by a Chief or other officer before 7 May 2019 remains effective and in force unless or until expressly revoked.

B. OFFICERS' SCHEME OF DELEGATED POWERS

The following summaries of Chief Officers' delegations' detail further exceptions and provide appropriate clarification: -

HEAD OF PAID SERVICE

In accordance with the strategies, policies and priorities of the Council and the general conditions set out in Section A of this Scheme:

1. To exercise the functions of Head of Paid Service under the provisions of the Local Government and Housing Act 1989
2. To do, or authorise to be done, any act or thing necessary to affect any decision of the Council.
3. To exercise any powers where necessary in the event of a civil emergency, consulting where practicable with the Group Leaders and Chair of the Scrutiny Committee.
4. To determine the list of politically restricted posts within the Council and to issue certificates under Section 3 of the Local Government and Housing Act 1989.
5. To authorise an Executive Director to act in their absence on any matter within their authority.
6. To give permission for the use of the County Council's Coat of Arms.
7. To divide electoral divisions into polling districts at local government elections.
8. To make appointments to Committees in consultation with the relevant Group Leader.

EXECUTIVE DIRECTOR OF CHILDREN'S SERVICES

In accordance with the strategies, policies and priorities of the Council and the general conditions set out in Section A of this Scheme, to exercise the Council's functions relating to Children's Services, including social care and intervention services for children and young people, adoption, youth offending residential establishments (but excluding decisions on the closure, relocation or change of use of residential establishments) schools, further education and the youth service including:

- (a) Filling vacancies for Local Education Authority School Governors on the basis of nominations recommended by the appropriate nominating Party Spokesperson.
- (b) Dismissal of Local Education Authority School Governors.

- (c) Variations to the Scheme for the Local Management of Schools and any cases of a withdrawal of delegated powers; but excluding.
- (d) The adoption of a syllabus of religious education on the recommendation of the Standing Advisory Committee on Religious Education.
- (e) Major school reorganisation proposals.
- (f) Proposals to open and close schools.

In addition:

- (i) The Children's Services operational lead for school attendance and the Senior Adviser – Safeguarding are authorised to institute legal proceedings in connection with the Council's functions relating to school attendance.
- (ii) The Children's Services operational lead for school attendance and the Senior Adviser – Safeguarding are authorised to serve school attendance orders.
- (iii) To license the employment of children.

EXECUTIVE DIRECTOR OF ADULT SOCIAL SERVICES

In accordance with the strategies, policies and priorities of the Council and the general conditions set out in Section A of this Scheme, to exercise the Council's functions relating to Social Services for adults, disabled persons, elderly persons, welfare and mental health services, community care and residential homes but excluding decisions on the closure, relocation or change of use of residential establishments and day establishments.

EXECUTIVE DIRECTOR OF COMMUNITY AND ENVIRONMENTAL SERVICES

In accordance with the strategies, policies and priorities of the Council and the general conditions set out in Section A of this Scheme, to exercise the Council's functions with regard to Adult Education, Customer Services, Libraries, Museums, Archaeology, Archives and the Arts but excluding the withdrawal or major modification of public facilities.

In accordance with the strategies, policies and priorities of the Council and the general conditions set out in Section A of this Scheme, to exercise the Council's functions relating to Town and Country Planning, Highways, Transportation, the Environment, Waste Disposal, Waste Management, Trading Standards, Safety of Sports Grounds, Consumer and Environmental Protection, Animal Health and Welfare, ~~Fire and Rescue~~, Emergency Planning and Economic Development including:

- (1) Approving minor or uncontroversial changes to the County Council's planning policies and plans and minor or uncontroversial comments on other organisations' plans and policies.
- (2) Responding to District Council consultations on planning applications or to development

proposals by Government departments, statutory undertakers, local authorities or other decision-making bodies provided that the proposal is consistent with County Council policy, is unlikely to raise controversial issues of a strategic nature and the Local Member has been informed of the proposed response.

- (3) Giving advice or making recommendations to local planning authorities on behalf of the County Council as local highway authority, minerals and waste planning authority and county planning authority.
- (4) In connection with permanent and experimental traffic regulation orders (including speed limits):
 - (i) to authorise the public advertisement of the intention to make such orders
 - (ii) to authorise the making of such orders where there are no objections
- (5) Imposing temporary speed limits and temporary traffic restrictions and prohibitions.
- (6) To exercise the Council's functions relating to land drainage.
- (7) The powers of entry, inspection, sampling, test purchasing, and all other powers given to duly authorised officers or inspectors in connection with the functions relating to trading standards, safety of sports grounds, consumer and environmental protection, animal health and welfare and planning services.
- (8) Appointing and authorising officers of the Council and other authorities to enforce the legislation relating to the functions of trading standards, safety of sports grounds, consumer and environmental protection, animal health and welfare, and planning services including the institution of legal proceedings (including proceedings under Section 222 of the Local Government Act 1972) and the authorisation of officers to appear in the Magistrates Court but excluding the making of Orders and Regulations.
- (9) Appointing and authorising officers of the Council as Inspectors under Section 19(1) of the Health and Safety of Work Act 1974 and to authorise such postholders to exercise the powers contained in Sections 20(2), 21, 22, 25, 38 and 39 of the Act and the provisions of the Explosives Act 1875 being relevant statutory provisions under the 1974 Act, and of Regulations, Orders or other legislation made, modifying or having effect under the provision.
- (10) Giving advice or recommendations to Local Planning Authorities on behalf of the County Council as Lead Local Flood Authority in line with requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- (11) To appoint individuals to act as Public Analysts in accordance with the Food Safety Act 1990, Section 27(i) and to appoint Agricultural/Deputy Agricultural Analysts in accordance with the Agriculture Act 1970, Section 67.3(b).
- (12) To exercise all the functions of the Council relating to Town and Country Planning and Development Management except for:
 - (a) approval of applications for County Matter and County Council development where

objections are raised by statutory consultees;

- (b) approval of applications for County Matter and County Council development which have three or more individual representations raising planning related objections;
 - (c) approval of applications for County Matter and County Council development requiring Environmental Impact Assessments;
 - (d) where the Executive Director of Community and Environmental Services determines, in consultation with the Chair of the Planning (Regulatory) Committee, that approval of applications for County Matter and County Council development should be determined by the Committee; and
 - (e) approval of applications for County Council development which are considered a departure from the Development Plan.
- (13) To refuse applications for County Matters and County Council development on the grounds that there is insufficient information to determine the application.
- (14) To authorise the publication and maintenance of records associated with the register of flood risk structures or features under Section 21 of the Flood and Water Management Act 2010.
- (15) Approving the publication of formal flood investigations undertaken under Section 19 of the Flood and Water Management Act 2010.
- (16) To issue screening and scoping opinions under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (as amended).
- (17) 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.
- (18) To exercise the Council's powers and duties in respect of obtaining of particulars of persons interested in land under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976.
- (19) To exercise the functions of the Council as the Competent authority under the Conservation of Habitats and Species Regulations 2010, as amended, with regards to any consent, permission or other authorisation for, a plan or project for which it is the relevant planning authority. Including:
- Determine whether or not an appropriate assessment is required.
 - Where it is considered that an appropriate assessment is required.
 - Decide whether it is appropriate to take the opinion of the public and if so the necessary steps to be taken, and
 - In the light of an appropriate assessment, determine whether the Plan or Project will or will not adversely affect the integrity of the European site.
- (20) To authorise entry onto land under Section 196 of the Town and Country Planning Act 1990.

- (21) To grant Street Works licences.
- (22) To permit the deposit of builders skips on the highway.
- (23) To license the planting, retention and maintenance of trees etc on the highway.
- (24) To licence works in relation to buildings etc which obstruct the highway.
- (25) To consent to temporary deposits or excavations in streets.
- (26) To dispense with the duty to erect hoardings or fences.
- (27) To restrict the placing of rails, beams etc. over highways.
- (28) To consent to the construction of cellars etc under streets.
- (29) To consent to the making of openings into cellars etc under streets, and pavement lights and ventilators.
- (30) To remove things deposited on highways so as to be a nuisance.
- (31) To assert and protect the rights of the public to the use and enjoyment of highways.
- (32) To create footpaths, bridleways and restricted byways by agreement or by order.
- (33) To divert, stop up and extinguish footpaths, bridleways and restricted byways.
- (34) To enter into access agreements under Section 35 of the Countryside and Rights of Way Act 2000.
- (35) To provide access in the absence of agreement under Section 37 of the Countryside and Rights of Way Act 2000.
- (36) To authorise temporary disturbance of the surface of footpaths, bridleways and restricted byways.
- (37) To temporarily divert footpaths, bridleways and restricted byways.
- (38) To exercise functions relating to the making good of damage and removal of obstructions from public paths.
- (39) To authorise the erection of stiles etc on footpaths and bridleways.
- (40) To designate footpaths as cycle tracks.
- (41) To enter into agreements under Section 278 of the Highway Act 1980.
- (42) To license the movement of cattle from a market.
- (43) To license the movement of animals under specific disease orders.

- (44) To permit the placing of scaffold/hoarding on the highway.
- (45) To licence the cultivation of areas subject to full highway rights.
- (46) To licence the movement of animals, where such movements would otherwise be allowed under general licence, in an instance where the ability of livestock keeper to use the general licence has been removed.
- (47) To exercise all the Council's functions in relation to the safety of sports grounds legislation.

EXECUTIVE DIRECTOR – FINANCE & COMMERCIAL SERVICES

In accordance with the strategies, policies and priorities of the Council and the general conditions set out in Section A of this Scheme, to be responsible for the proper administration of the financial affairs of the Council including all arrangements concerning financial planning, financial control, banking, accounts, income, insurances, investments, bonds, loans, guarantees, leasing, borrowing (including methods of borrowing), trust and pension funds, the payment of creditors, the payment of salaries, wages, pension schemes benefits and gratuities and internal audit. Authorisation of write-off of debts less than £10,000.

CHIEF FIRE OFFICER

In accordance with the strategies, policies and priorities of the Council and the general conditions set out in Section A of this Scheme, to exercise the Council's functions relating to fire prevention, firefighting, fire safety, explosives and petroleum and the functions conferred on the local authority under Article 25 of the Fire Safety Order 2005, the Fire and Rescue Services Act 2004 and the Fire and Rescue National Framework.

- (a) The appointment of holders of the following posts below as Inspectors under Section 19(1) of the Health and Safety at Work etc Act 1974 and to authorise such postholders to exercise the powers contained in sections 20(2), 21, 22, 25 and 39 of the Act:

Chief Fire Officer
Deputy Chief Fire Officer
[Assistant Chief Fire Officer](#)
Area Managers
Brigade Managers

DIRECTOR OF PUBLIC HEALTH

In accordance with the strategies, policies and priorities of the Council and the general conditions set out in Section A of this Scheme, to exercise the Council's functions relating to Public Health and specifically:

- Health Protection
- Health Improvement
- Clinical Public Health including advice to the wider health system
- Health Intelligence

- Emergency planning

DIRECTOR OF GOVERNANCE

In accordance with the strategies, policies and priorities of the Council and the general conditions set out in Section A of this Scheme:

Appointed as:

- Senior Responsible Officer (SRO)
- Data Protection Officer (DPO)
- Money Laundering Reporting Officer (MLRO)

- (1) To authorise officers to appear and represent the Council in Magistrates and County Courts.
- (2) To serve notices requiring information to be given in respect of interests in land.
- (3) To enter into any legal documentation, make any statutory orders, make any application to the Courts or other tribunals and take associated action, to give effect to decisions made by or on behalf of the Council.
- (4) To deal with Blight Notices and Purchase Notices.
- (5) To keep the Definitive Map and Statement under review.
- (6) To include modifications relating to the Definitive Map and Statement in other Orders relating to public rights of way.
- (7) To keep the register of prescribed information with respect to applications under Section 53(5) of the Wildlife and Countryside Act 1981.
- (8) To prepare a map and statement by way of consolidation of the Definitive Map and Statement.
- (9) To serve notices requiring information to be given in respect of interests in land.
- (10) To determine applications for certificates of lawful use or development and for certificates of lawfulness for proposed use or development.
- (11) To register common land or town or village greens and to register variation of rights of common and to determine applications for the registration of land as new Town or Village Green.
- (12) To obtain information under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 and Section 330 of the Town and Country Planning Act 1990.

HEAD OF GOVERNANCE AND REGULATORY SERVICES

In accordance with the strategies, policies and priorities of the Council and the general conditions set out in Section A of this Scheme:

Appointed as:
Statutory Scrutiny Officer

And to exercise the Council's functions in respect of:

1. The Registration Act 1953
2. The Marriages and Civil Partnerships (Approved Premises) Regulations 2005
3. the Marriages Act 1949
4. the Coroners Service
5. making appointments to the Norfolk Valuation Panel
6. To declare vacancies in office and give public notice of a casual vacancy under Sections 86 and 87 of the Local Government Act 1972.

A. LIMITATIONS ON OFFICERS DELEGATED POWERS

a. GRANTS THRESHOLDS

i.e. those thresholds above which Member approval will be required for the making of grants. (See para 2(g) of Section A of this Scheme).

In respect of the following service areas: -

1. Children's Services - £10,000
2. Cultural Services - £1,000.
3. Citizens Advice Bureau – all grants

SCHEDULE OF DELEGATIONS OF CHIEF OFFICERS' POWERS

EXECUTIVE DIRECTOR OF CHILDREN'S SERVICES

SECTION A.2

Areas of Delegation	Range of Grades
a. Issuing and serving statutory notices.	K (or equivalent) and above, within their areas of responsibility.
b. Granting any licence, consent, approval, permission certificate or authorisation with or without conditions, or their refusal.	H and above, within their areas of responsibility.
c. Fixing, varying, deferring and waiving charges and similar payments which the County Council is entitled to impose.	P and above, within their areas of responsibility.
d. Signing documents.	K and above, within their areas of responsibility.
e. Authorising entry onto land.	Not applicable
f. Inspecting land and premises and things on premises.	E and above, within their areas of responsibility.
g. Making grants (up to £10,000).	J and above, within their areas of responsibility.
h. Making Statutory Orders and Schemes.	K (or equivalent) and above, within their areas of responsibility.
i. Instituting criminal proceedings.	J and above, within their areas of responsibility.
j. Declaring land to be surplus to the requirements of their service.	<i>Reserved to Executive Director</i>
k. Delivering the approved capital programme for their service.	K and above, within their areas of responsibility.

EXECUTIVE DIRECTOR OF CHILDREN'S SERVICES

SECTION B

GENERAL DELEGATION

Each member of the Children's Services Departmental Management Team, together with staff in their services within their areas of responsibility and graded at SO1 and above, are authorised to exercise the Council's functions delegated to the Executive Director of Children's Services in relation to education, schools, further education, youth service and the Youth Offending Team.

Area of Delegation	Officer(s)
a. Reviewing decisions made by the Authority in exercising its discretionary powers relating to the provision of financial and other support to pupils and students.	Assistant Director – Education
b. Filling vacancies for Local Education Authority School Governors on the basis of nominations recommended by the appropriate nominating Party Spokespeople and dismissal of LEA School Governors.	Assistant Director – Education
c. Variations to the Scheme of Local Management of schools and any cases of a withdrawal of delegated powers.	Reserved to Executive Director
d. Applications under part IV of the Children Act 1989 i.e. Care Orders, Emergency Protection Orders and Recovery Orders.	(Qualified and Registered) Social Workers in consultation with Team Managers
e. Application to the Court for an order under the inherent jurisdiction in relation to children.	(Qualified and Registered) Social Workers in consultation with Safeguarding Manager and/or Corporate Parenting Manager

f. Applications under Section 18 of the Adoption Act 1976 i.e. freeing for adoption.	(Qualified and Registered) Social Workers in consultation with Safeguarding Manager and/or Corporate Parenting Manager	
g. Applications under the Children Act and Adoption Act for leave to disclose documents in proceedings.	Case Responsible Team Managers in consultation with Safeguarding Manager and/or Corporate Parenting Manager	
h. Application to the Court for a breach of a Court Order.	Case Responsible Team Managers in consultation with Safeguarding Manager and/or Corporate Parenting Manager	

EXECUTIVE DIRECTOR OF ADULT SOCIAL SERVICES

SECTION A2

Area of Delegation	Range of Employees' Grades
a. Issuing and serving statutory notices.	M and above, within their areas of responsibility
b. Granting any licence, consent, approval, permission certificate or authorisation with or without conditions, or their refusal.	M and above, within their areas of responsibility
c. Fixing, varying, deferring and waiving charges and similar payments which the County Council is entitled to impose.	M and above, within their areas of responsibility
d. Signing documents.	D and above, within their areas of responsibility
e. Authorising entry onto land.	Not applicable
f. Inspecting land and premises and things on premises.	D and above, within their areas of responsibility
g. Making grants (subject to any limitations imposed by Committee).	M and above, within their areas of responsibility
h. Making Statutory Orders and Schemes.	I and above, within their areas of responsibility (in consultation with line managers)
i. Instituting criminal proceedings.	Executive Director or Assistant Director
j. Declaring land to be surplus to the requirements of their service.	Executive Director
k. Delivering the approved capital programme for their service.	K and above, within their areas of responsibility

In the absence of the Executive Director, any Assistant Director is authorised to act on their behalf. In matters requiring a professional social work decision, the appropriate Assistant Director's advice will be sought, where possible.

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EXECUTIVE DIRECTOR OF ADULT SOCIAL SERVICES

GENERAL DELEGATION

Each member of the Adult Social Services Department Senior Management Team, together with employees in their services within their areas of responsibility is authorised to exercise the Council's functions delegated to the Executive Director of Adult Social Services in respect of social care services to adults and children and their families.

In addition, the making of the following applications is delegated to:

Complaint under Section 43 and 56 of the National Assistance Act 1948 to recover the costs of assistance from persons liable for maintenance.	Executive Director Finance & Commercial Services
Application under Section 29 of the Mental Health Act 1983 for appointment by the Court of acting nearest relative.	Approved Social Workers
Applications under Sections 2,3 and 4 of the Mental Health Act 1983.	Approved Social Workers
Applications for Guardianship under Section 7 of the Mental Health Act 1983.	Approved Social Workers

DIRECTOR OF GOVERNANCE

The following powers will be exercised by the Director of Governance and the postholders indicated in the second column of the table.

(1)	To authorise officers to appear and represent the Council in Magistrates and County Courts.	Head of Legal Services nplaw
(2)	To serve notices requiring information to be given in respect of interests in land.	nplaw Solicitors
(3)	To enter into any legal documentation, make any statutory orders and make any application to the Courts or other tribunals, and to take associated action, to give effect to decisions made by or on behalf of the Council	Everybody, within their general area of responsibility with sealing and signing of contracts limited to M grade nplaw officers and above and to the Head of Governance and Regulatory Services
(4)	To deal with Blight Notices and Purchase Notices.	M grade nplaw officers and above

HEAD OF GOVERNANCE AND REGULATORY SERVICES

The following powers will be exercised by the Head of Governance and Regulatory Services, and the postholders indicated in the second column of the table below.

(1) To exercise the Council's functions in respect of the Registration Service Act 1953	Registration Services Manager
(2) To exercise the Council's functions in respect of the Marriages and Civil Partnerships (Approved Premises) Regulations 2005	Registration Services Manager
(1) To exercise the Council's functions in respect of the Marriage Act 1949.	Registration Services Manager -
(4) To exercise the Council's functions in respect of the Coroner's Service	Coroner's Service Manager
(1) To make appointments to the Norfolk Valuation Panel	Head of Governance & Regulatory Services
(6) To declare vacancies in office and give public notice of a casual vacancy under Sections 86 and 87 of the Local Government Act 1972.	Head of Governance and Regulatory Services

EXECUTIVE DIRECTOR OF COMMUNITY AND ENVIRONMENTAL SERVICES

GENERAL DELEGATION

Each member of the Community and Environmental Services Management Team, together with staff in their services graded at Scale H and above, are authorised within their area of responsibility, to exercise the Council's functions delegated to the Executive Director of Community and Environmental Services, in respect of adult education, customer services, libraries, museums, archaeology, archives, arts, town and country planning, highways, transportation, the environment, waste disposal, waste management, trading standards, safety of sports grounds, emergency planning, consumer and environmental protection, animal health and welfare and economic development but excluding the withdrawal or major modification of public facilities

Specific delegations are detailed below.

Specific and general delegations relating to the Statutory posts within Community and Environmental Services (Chief Fire Officer and Director of Public Health) are detailed later in this document.

SECTION A2 – SPECIFIC DELEGATION

Specific delegations apply only within an officer's area of responsibility.

Where specific posts are detailed, the delegation also applies to the post holder's line manager and their line management.

Area of Delegation	Officer(s)/Range of Grades
(a) Issuing and serving statutory notices.	Scale H and above graded officers
(b) Granting any licence, consent, approval, permission certificate or authorisation with or without conditions, or their refusal.	Scale H and above graded officers
(c) Fixing, varying, deferring and waiving charges and similar payments which the County Council is entitled to impose.	Scale M and above graded officers Network Co-ordinators (Street Works)
(d) Signing (legal) documents.	Scale M and above graded officers Highways Development Management Service Officers Scale K and above

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(e) Authorising entry onto land.	Scale M and above graded officers
(f) Inspecting land and premises and things on premises.	All those authorised to enter land under (e)
(g) Making grants (subject to any limitation imposed by the Council or Committee).	Scale M and above graded officers
(h) Making Statutory Orders and Schemes.	Scale H and above graded officers
(i) Instituting criminal proceedings.	Scale M and above graded officers
(j) Declaring land to be surplus to the requirements of their Services	Members of Departmental Management Team
(k) Delivering the approved capital programme for their service.	Members of Departmental Management Team

EXECUTIVE DIRECTOR OF COMMUNITY AND ENVIRONMENTAL SERVICES

SECTION B – SPECIFIC DELEGATION

Specific delegations apply only within an officer's area of responsibility.

Where specific posts are detailed, the delegation also applies to the post holder's line manager and their line management.

Area of Delegation	Officer(s)/Range of Grades
(1) Approving minor or uncontroversial changes to the County Council's planning policies and plans and minor or uncontroversial comments on other organisations' plans and policies.	Members of Departmental Management Team Head of Planning Senior Planners Scale K and above Highways Development Management Service Officers Scale J and above
(2) Responding to District Council consultations on planning applications or to development proposals by Government departments, statutory undertakers, local authorities or other decision-making bodies provided that the proposal is consistent with County Council policy, is unlikely to raise controversial issues of a strategic nature and the Local Member has been informed of the proposed response.	As (1) above
(3) Giving advice or making recommendations to local planning authorities on behalf of the County Council as local highway authority, minerals and waste planning authority and county planning authority	As (1) above

(4) In connection with permanent and experimental traffic regulation order (including speed limits): - (i) to authorise the public advertisement of the intention to make such orders (ii) to authorise the making of such orders where there are no objections	Scale H and above graded officers
(5) Imposing temporary speed limits and temporary traffic restrictions and prohibitions.	Team Manager (Network Management) Network Co-ordinators (Street Works)
(6) To exercise the Council's functions relating to land drainage.	Scale M and above graded officers
(7) The powers of entry, inspection, sampling, test purchasing, and all other powers given to duly authorised officers or inspectors in connection with the functions relating to trading standards, consumer and environmental protection, animal health and welfare and planning services.	Head of Trading Standards Head of Planning
(8) Appointing and authorising officers of the Council and other authorities to enforce the legislation relating to the functions of trading standards, consumer and environmental protection, animal health and welfare, and the Health Protection (Coronavirus, Business Closure) (England) Regulations 2020, the Health Protection (Coronavirus, Restrictions) (England) Regulations and any ancillary or consequential health protection legislation in so far as it relates to the functions of trading standards and enforcement, and planning services including the institution of legal proceedings (including proceedings under Section 222 of the Local Government Act 1972) and the authorisation of officers to appear in the Magistrates Courts.	Head of Trading Standards Head of Planning

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(9) Appointing and authorising officers of the Council as Inspectors under Section 19(1) of the Health and Safety of Work Act 1974 and to authorise such postholders to exercise the powers contained in Sections 20(2), 21, 22, 25, 38 and 39 of the Act and the provisions of the Explosives Act 1875 being relevant statutory provisions under the 1974 Act, and of Regulations, Orders or other legislation made, modifying or having effect under the provision.	Head of Trading Standards
(10) Giving advice or recommendations to Local Planning Authorities on behalf of the County Council as Lead Local Flood Authority in line with requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015.	officers Scale H and above
(11) To appoint individuals to act as Public Analysts in accordance with the Food Safety Act 1990, Section 27(i) and to appoint Agricultural/Deputy Agriculture Analysts in accordance with the Agriculture Act 1970, Section 67.3(b)	Head of Trading Standards
(12) To exercise all the functions of the Council relating to Town and Country Planning and Development Management except for: (i) approval of planning applications and proposals in accordance with the Development Plans where objections are raised by statutory consultees or/and have three or more individual representations raising planning related objections;	Head of Planning Principal officers Scale L and above

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<p>(i) approval of minerals and waste applications requiring Environmental Impact Assessments;</p> <p>(ii) approval of applications for County Matter and County Council development where no more than four individual representations raising planning-related objection are received and the Executive Director of Community and Environmental Services determines, in consultation with the Chair of the Planning (Regulatory) Committee, that the application should be determined by the Committee.</p>	
(13) To refuse applications on the grounds that there is insufficient information to determine whether or not the application accords with the development plan.	Head of Planning Principal Planners Scale L and above
(14) To authorise the publication and maintenance of records associated with the register of flood risk structures or features under Section 21 of the Flood and Water Management Act 2010	Scale L and above graded officers
(15) Approving the publication of formal flood investigations undertaken under Section 19 of the Flood and Water Management Act 2010	Scale L and above graded officers
(16) To issue screening and scoping opinions under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (as amended).	Head of Planning Principal Planners Scale L and above
(17) To exercise the Council's powers and duties in respect of obtaining information as to interests in land under Section 330 of the Town	Head of Planning Principal Planners Scale L and above

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and Country Planning Act 1990.	
(18) To exercise the Council's powers and duties in respect of obtaining of particulars of persons interested in land under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976	Head of Planning Principal Planners Scale L and above
(19) To exercise the functions of the Council as the Competent authority under the Conservation of Habitats and Species Regulations 2010, as amended, with regards to any consent, permission or other authorisation for, a plan or project for which it is the relevant planning authority. Including: - <ul style="list-style-type: none"> • Determine whether or not an appropriate assessment is required; • Where it is considered that an appropriate assessment is required; • Decide whether it is appropriate to take the opinion of the public and if so the necessary steps to be taken; and • In the light of an appropriate assessment, determine whether the Plan or Project will or will not adversely affect the integrity of the European site. 	Head of Planning Principal Planners Scale L and above
(20) To authorise entry onto land under Section 196 of the Town and Country Planning Act 1990	Head of Planning Principal Planners Scale L and above
(21) To grant Street Works licences	Inspector (Street Works) Grade G and above
(22) To permit the deposit of builders skips on the highway	Inspector (Street Works) Grade G and above
(23) To license the planting, retention and maintenance of trees etc. on the highway	Highway Engineer Scale K and above

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(24) To licence works in relation to buildings etc. which obstruct the highway	Highway Engineer Scale K and above
(25) To consent to temporary deposits or excavations in streets	Highway Engineer Scale K and above
(26) To dispense with the duty to erect hoardings or fences	Highway Engineer Scale K and above
(27) To restrict the placing of rails, beams etc over highways	Highway Engineer Scale K and above
(28) To consent to the construction of cellars etc. under streets	Highway Engineer Scale K and above
(29) To consent to the making of openings into cellars etc. under streets, and pavement lights and ventilators	Highway Engineer Scale K and above
(30) To remove things deposited on highways so as to be a nuisance	Highway Engineer Scale K and above
(31) To assert and protect the rights of the public to the use and enjoyment of highways	Highway Engineer Scale K and above
(32) To create footpaths, bridleways and restricted byways by agreement or by order	Highway Engineer Scale K and above Environment Service Managers Scale L and above
(33) To divert, stop up and extinguish footpaths, bridleways and restricted byways	Highway Engineer Scale K and above Environment Service Managers Scale L and above
(34) To enter into access agreements under Section 35 of the Countryside and Rights of Way Act 2000	Highway Engineer Scale K and above Environment Service Managers Scale L and above
(35) To provide access in the absence of agreement under Section 37 of the Countryside and Rights of Way Act 2000	Highway Engineer Scale K and above Environment Service Managers Scale L and above

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(36) To authorise temporary disturbance of the surface of footpaths, bridleways and restricted byways	Highway Engineer Scale K and above Environment Service Managers Scale L and above
(37) To temporarily divert footpaths, bridleways and restricted byways	Highway Engineer Scale K and above Environment Service Managers Scale L and above
(38) To exercise functions relating to the making good of damage and removal of obstructions from public paths	Highway Engineer Scale K and above Environment Service Managers Scale L and above
(39) To authorise the erection of stiles etc on footpaths and bridleways	Highway Engineer Scale K and above Environment Service Managers Scale L and above
(40) To designate footpaths as cycle tracks	Highway Engineer Scale K and above Environment Service Managers Scale L and above
(41) To enter into agreements under Section 278 of the Highway Act 1980	Scale M and above graded officers
(42) To license the movement of cattle from a market	Scale M and above graded officers
(43) To license the movement of animals under specific disease orders	Scale M and above graded officers
(44) To permit the placing of scaffold/hoarding on the highway	Inspector (Street Works) Grade G and above
(45) To licence the cultivation of areas subject to full highway rights	Highway Engineer Scale K and above
(46) To licence the movement of animals, where such movements would otherwise be allowed under general licence, in an instance where the ability of livestock keeper to use the general licence has been removed	Scale M and above graded officers.

(47) To exercise all the Council's functions in relation to the safety of sports grounds legislation	Head of Trading Standards Scale M and above graded officers
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CHIEF FIRE OFFICER

GENERAL DELEGATION

Each member of the Fire and Rescue Service with staff in their services graded at Firefighter/Fire Safety Advisor and above, are authorised, within their area of responsibility, to exercise the Council's functions delegated to the Chief Fire Officer. In respect of Fire Safety, specific delegations are detailed below.

Specific delegations apply only within an officer's area of responsibility. Where specific posts are detailed, the delegation also applies to the post holder's line manager and their line management.

SECTION B – SPECIFIC DELEGATION

Area of Delegation	Officer(s) Range of Grades
RR (Fire Safety) Order 2005 – Article 31 – Prohibition Notices	Chief Fire Officer Deputy Chief Fire Officer Assistant Chief Fire Officer Area Manager
RR (Fire Safety) Order 2005 – Article 30 – Enforcement Notices	Chief Fire Officer Deputy Chief Fire Officer Assistant Chief Fire Officer Area Manager Group Manager Station Manager Operational Support Officer Fire Safety Advisor
RR (Fire Safety) Order 2005 – Article 29 – Alterations Notices	Chief Fire Officer Deputy Chief Fire Officer Assistant Chief Fire Officer Area Manager Group Manager Station Manager Operational Support Officer Fire Safety Advisor
RR (Fire Safety) Order 2005 – Article 27 – Powers of Inspectors	All Grades

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DIRECTOR OF PUBLIC HEALTH

SECTION A.2

Areas of Delegation	Range of Grades
a. Issuing and serving statutory notices.	Director or Deputy Director
b. Granting any licence, consent, approval permission certificate or authorisation with or without conditions, or their refusal.	Director or Deputy Director
c. Fixing, varying, deferring and waiving charges and similar payments which the County Council is entitled to impose.	Director or Deputy Director
d. Signing documents.	L and above, within their areas of responsibility.
e. Making grants (up to £10,000).	M and above

SECTION B – SPECIFIC

DELEGATION GENERAL

DELEGATION

Each member of the Public Health Departmental Management Team, together with staff in their services within their areas of responsibility, are authorised to exercise the Council's functions delegated to the Director of Public Health in relation to:

- Health Protection
- Emergency planning
- Health Improvement
- Clinical Public Health including advice to the wider health system
- Health Intelligence

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NORFOLK COUNTY COUNCIL CONSTITUTION

ANNEX TO APPENDIX 5 LOCAL MEMBER PROTOCOL

PROTOCOL FOR INFORMING MEMBERS OF ISSUES RELATING TO THEIR ELECTORAL DIVISION

CHILDREN'S SERVICES

- Reviews of provision including new services or closures of establishments or services and school closures or amalgamations.
- Changes in procurement of services.
- Significant building work, i.e. provision of additional accommodation, new school buildings, early years or nursery provision, remodeling of a school requiring building work, replacement of mobile classrooms.
- Outcome of inspections.
- Local events, activities, presentations.
- Local school admission issues.
- Governor vacancies.
- Key visitors to County Councillor's Divisions.
- Major accidents, injuries or violent incidents affecting children's services, staff or property (including fire, flood, vandalism, burglary which affect operational efficiency).
- Meetings with Members/Members of Parliament.
- Funding/grants to voluntary organisations.

YOUTH JUSTICE

- Local initiatives for youth crime and prevention.
- Serious incidents involving a young offender subject to supervision where there is likely to be significant public reaction.

ADULT SOCIAL SERVICES

- Major accidents, injuries or violent incidents affecting Social Services staff or property (including fire, flood, vandalism, burglary which affect operational efficiency).
- Controversies (i.e. forthcoming court hearings and inquests concerning clients or staff, deaths, missing clients, service problems or complaints, inter-departmental issues).
- Meetings with Members/Members of Parliament.
- Opening of new premises or a new service.
- Closure of a home, establishment or service.

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- Changes/developments to social services delivery (e.g. new structure, re-organisation of services).
- Funding/grants to voluntary organisations.
- Key visitors to Divisions.
- New partnership/joint ventures.

COMMUNITY AND ENVIRONMENTAL SERVICES

HIGHWAYS AND TRANSPORT

- Road and bridge design.
- Publicity statements relating to highway maintenance schemes.
- Major highways developments.
- Traffic Management proposals and objections to proposals.
- Provision of new pedestrian crossings.
- Traffic calming schemes.
- Footway improvement proposals.
- Footpath maintenance and improvements.
- Land acquisitions for maintenance schemes.
- Cycling schemes.
- Route hierarchy reviews.
- Progress on enforcement action in relation to development control.
- Schools, participating in the Healthier and Safer Journeys to School Initiative.
- Revised bus services, local bus service contracts.
- Major public transport service changes.
- Changes to home to school transport arrangements.
- Definitive Map Modification Order applications.
- RUPP Reclassification Orders.
- Applications re: new village greens.

ENVIRONMENT AND PLANNING

- Issues relating to the presence of travellers:
 - Traveller group locations (where known).
 - Placing of facilities at the location.
 - Case conferences under the Traveller protocol.
- Any local concerns/media interest.
- 'County Matter' planning applications.
- Formulation of the Minerals and Waste Local Plan.
- Planning applications under Regulation 3 of the Town and Country Planning General Regulations 1992.

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TRADING STANDARDS

- Major breaches of legislation identified which may be of significant public interest, including animal disease outbreaks.
- Significant results of inspections of businesses, i.e. those involving the discovery of major breaches of legislation and the corrective action being taken to address them.
- Consumer complaints about businesses that may have a significant or wide local impact within the community – or nationally (e.g. serious safety issues or fraudulent behaviour).
- High profile enforcement activities, including public enforcement interventions (e.g. prosecution, injunction orders).
- Applications for new Safety Certificates at sports grounds.
- Amendments to Safety Certificates involving any changes in permitted capacity.
- Prohibition notices relating to sports grounds.

ECONOMIC DEVELOPMENT & STRATEGY

- Planning applications in respect of which the County Council as Strategic Planning Authority is consulted by District Planning Authorities.
- Proposals to make a very strong recommendation for refusal of planning permission on highways grounds.
- New local investment.
- Successful projects under one of our grant schemes.
- Regional/International meetings/visits taking place in a Member's division.
- Area specific policy issues.
- Where there is a likelihood of an application for funding being turned down.
- Changes to the local economic base – expansions, closures, redundancies, prosecution etc.
- Closure (or re-opening) of a rural shop or rural or urban Post Office.

EMERGENCY PLANNING

- Emergencies/Incidents of significance.
- Training/Exercise events.
- Community engagement events.
- New Initiatives.

LIBRARIES

- Library closures due to refurbishment or emergencies.
- Changes/developments to libraries, re: new services or plans for development or changes to opening hours.
- Changes/reduction in service due to budget pressures or permanent closures of libraries.

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- Changes to mobile library routes and arrival times.
- Key visitors to Divisions.

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MUSEUMS

- Museums achievements and archaeological investigations.
- Museums developments, including closures or reductions in hours.
- Key visitors to Divisions.

ADULT EDUCATION

- Local events, activities, presentations within the Adult Education Service.

NORFOLK FIRE AND RESCUE SERVICE

- Variations to standards of fire cover e.g. changes to location of stations, number and type of fire appliances, numbers of firefighters.
- Initiatives relating to community safety.
- Key visitors to Divisions

CUSTOMER SERVICES

- Proposals or changes relating to divisional or major customer access arrangements.

CORPORATE PROPERTY TEAM (or agents on instruction)

- Property reviews
- Property sale particulars.
- Property disposals (freehold/leases over 7 years)
- Planning applications on surplus property or for County Council developments.
- Property acquisitions by lease or purchase.
- Partnership projects.
- Planned maintenance programme for local properties.

RESOURCE -

NPLAW

- Temporary Traffic Regulation Orders.
- Cycle Track Orders.
- Applications re: common land.

CORPORATE PLANNING AND PARTNERSHIPS SERVICE

- Initiatives relating to collaborative working with partnership projects, equalities and community relations.

GOVERNANCE & REGULATORY SERVICES

- Register Offices - closures/amalgamations.
- Register Offices – change of opening hours.
- Register Offices – details of building projects.
- Applications by venues to be approved for marriage ceremonies.
- Notification of constituents due to receive an M.B.E. and an invitation to the ceremony.
- Notification of visits organised by the Chair's office.

COMMUNICATIONS

- Informing local Members of divisional news, issues/events.

PUBLIC HEALTH

- Communicable Disease Outbreaks
- Significant Health Protection Issues
- Launch of any national/countrywide road safety campaigns to be made from local school.

ALL DEPARTMENTS

All departments should notify local Members if they become aware of any proposals for the closure or opening of community facilities, including post offices, bank branches, health facilities etc.

APPENDIX 13

ACCESS TO INFORMATION PROCEDURE RULES

1. Meetings

- 1.1 Procedure Rules 1.2-1.8 below apply to all meetings of the Council, Cabinet, the Council's Committees and Joint Committees.

Rights to attend meetings

- 1.2 Members of the public and the media may attend all meetings, subject to the exceptions specified in the particular rules that govern meetings of the Council, the Cabinet and the Council's Committees and Joint Committees as well as the exceptions below.

Notice of meeting

- 1.3 The Head of Governance and Regulatory Services will give at least five clear days' notice of any meeting by posting details of the meeting at County Hall, Norwich and on the Council's website.

Access to agenda and reports before the meeting

- 1.4 The Head of Governance and Regulatory Services will make copies of the agenda and reports available for public inspection at County Hall and on the Council's website at least five clear days before the meeting. If an item is later added to the agenda, the revised agenda will be open to public inspection from the time the item was added to the agenda. Where reports are prepared after the agenda has been sent out, the Head of Governance and Regulatory Services will make such reports available for public inspection as soon as the report is sent to Members.

- 1.5 The Head of Governance and Regulatory Services may withhold reports, or appendices to reports, from public inspection if they consider the reports contain exempt or confidential information (as defined in paragraphs 8 and 9 of these Rules). Such reports will be marked "Not for publication" and the exemption category of information indicated and will be printed on pink paper. The Council is committed to transparency and will keep information withheld from public inspection to the minimum necessary.

Exclusion of the Media and Public from Meetings

- 4.51.6 The media and the public must be excluded from meetings whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that confidential information (as defined in paragraph 8 of these Rules) will be disclosed.

- 4.61.7 The media and the public may be excluded from meetings whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that exempt information (as defined in paragraph 9 of these Rules) will be disclosed.

4.71.8 The decision to exclude the media and the public must be made after considering the public interest test, by a resolution of the meeting which must (in the case of exempt information) state the reasons for the exclusion (by reference to the relevant statutory category) which must be recorded in the minutes of the meeting.

2. Access to minutes of meetings

The Head of Governance and Regulatory Services will retain and make available for public inspection for six years after a meeting of a decision-making body, copies of the following:

1. the minutes of the meeting, excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information;
2. a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;

3. Supply of copies

Following a request by any person and on payment by them of a reasonable charge to meet copying and clerical costs, the Council will supply copies of any agendas, reports, minutes and records of decisions which are open to public inspection, although any requestor will be encouraged to use electronic copies that are readily available.

4. List of background documents

The author of any report will set out in the report a list of background documents relating to the subject matter of the report which in their opinion:

1. disclose any facts or matters on which the report, or an important part of the report, is based and
2. have been relied on to a material extent in preparing the report (not including published works or those which disclose exempt or confidential information as defined in paragraphs 8 and 9 of these Rules.

5. Public inspection of background documents

The Head of Paid Service and Chief Officers are responsible for ensuring that one copy of each background document included in the list of background documents is retained and made available for public inspection and published on the Council's website after the date of any meeting or decision.

6. Summary of public's rights

- 6.1 These rules do not affect any more specific rights to information contained elsewhere in this Constitution or the law.

- 6.2 A summary of the public's rights to attend meetings and to inspect and copy documents will be retained and made available to the public at County Hall, Norwich.

7. RIGHTS OF ACCESS FOR MEMBERS GENERALLY

- 7.1 Under Section 100F of the Local Government Act 1972, a Member has a right to see any document in the possession of, or under the control of, the Council relating to any business to be transacted at a meeting of the Council, a Committee or Sub-Committee. However, the Head of Governance and Regulatory Services has the power to withhold any such document which in their opinion contains exempt information of certain types: e.g. relating to individuals, the terms of a proposed contract, consultations or negotiations regarding labour relations matters, or legal proceedings.
- 7.2 A member has a right, under Section 228 of the Local Government Act 1972, to inspect the accounts of the Council and of any proper officer of the Council.
- 7.3 At common law a Member has a right to see any document under the control of the Council if that Member can show a "need to know" the contents of the document in order to perform their duties as a Councillor. A Member is not given a roving commission; nor can inspection be demanded out of idle curiosity or if there is any improper or indirect motive. In the event of a dispute as to whether a Member has a "need to know", the question is to be decided ultimately by the Council itself.
- 7.4 Annex 1 to this Appendix contains a protocol agreed by the County Council for the exercise of the rights of Members to inspect and have copies of documents.
8. **Confidential information** means information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by virtue of a Court Order.
9. **Exempt information** means information which falls within one or more of the following seven categories and in respect of which, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
1. Information relating to any individual.
 2. Information which is likely to reveal the identity of an individual.
 3. Information relating to the financial or business affairs of any particular person including the authority holding that information. (However, information is not exempt information under this category if it is required to be registered under the Companies Act 2006, the Friendly Societies Acts 1974 and 1992, the Industrial and Provident Acts 1965 to 1978, the Building Societies Act 1986 or the Charities Act 2011).

4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the County Council or a Minister of the Crown and employees of, or office holders under, the County Council.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the Council proposes:
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Information falling within any of the above paragraphs (1) to (7) is not exempt by virtue of that paragraph if it relates to proposed development for which the local planning authority can grant itself planning permission under Regulation 3 of the Town and Country Planning General Regulations 1992.

APPENDIX 17

REGISTER OF MEMBERS' INTERESTS & MEMBERS' CODE OF CONDUCT

Commented [EH2]: This is the LGA code, with minor amendments

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

Norfolk County Council will keep this Code under review as guidance and best practice develops.

Definitions

For the purposes of this Code of Conduct, a "councillor" means a member or co-opted member of a local authority or a directly elected mayor. A "co-opted member" is defined in the Localism Act 2011 Section 27(4) as "a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee".

For the purposes of this Code of Conduct, "local authority" includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the

reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty;
- I act lawfully;
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community;
- I do not improperly seek to confer an advantage, or disadvantage, on any person;
- I avoid conflicts of interest;
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when:

- you are acting in your capacity as a councillor and/or as a representative of your council;
- you are claiming to act as a councillor and/or as a representative of your council;
- you are giving the impression that you are acting as a councillor and/or as a representative of your council; and
- you refer publicly to your role as a councillor or use knowledge you could only obtain in your role as a councillor.

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of Councillor Conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the authority's councillor-officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the Monitoring Officer prior to its release.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/it's functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of Local Authority Resources and Facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local authority or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you, as a councillor, to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and declare my interests.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should declare an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be declared by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

The 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 members' Disclosable Pecuniary Interest (DPIs).

The register is open to inspection by the public.

Members' interests are published on the County Council's website unless the Monitoring Officer has agreed that the interest if disclosed, could lead to the Member being subject to violence or intimidation (section 32 of the Localism Act 2011).

10. Gifts and hospitality

As a councillor:

10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.

10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.

10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B Registering

interests

1. Within 28 days of this Code of Conduct being adopted by the local authority or your election or appointment to office (where that is later) you must register with the Monitoring Officer the interests which fall within the categories set out in Table 1 (Disclosable Pecuniary Interests) and Table 2 (Other Interests). Disclosable Pecuniary Interests means issues relating to money and finances.
2. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
3. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor/member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.
4. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Declaring interests

5. Where a matter arises at a meeting which directly relates one of your Disclosable Pecuniary Interests, you must declare the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest, just that you have an interest.

6. In addition, if a matter affects, to a greater extent than others in my division:

- my wellbeing or financial position; or
- that of family or close friends; or
- any body –
 - (a) exercising functions of a public nature; or
 - (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 I am in a position of general control or management

then I will declare an interest (an "Other Interest") but provided it is not a DPI I may speak and vote on the matter.

Commented [EH3]: This is in accordance with NCC's current Code, not the more onerous LGA Code

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

<u>Subject</u>	<u>Description</u>
<u>Employment, office, trade, profession or vocation</u>	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
<u>Sponsorship</u>	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by them in carrying out their duties as a councillor, or towards their election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
<u>Contracts</u>	Any contract made between the councillor or their spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
<u>Land and Property</u>	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or their spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
<u>Licences</u>	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
<u>Corporate tenancies</u>	<p>Any tenancy where (to the councillor's knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or their spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
<u>Securities</u>	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or their spouse or civil partner or the person with whom the councillor is living as if they were</p>

	spouses/civil partners has a beneficial interest which exceeds one hundredth of the total issued share capital of that class.
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* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

MEMBERS' CODE OF CONDUCT

I, _____ undertake to observe Norfolk County Council's Members' Code of Conduct.

Signed: _____ Date: _____

INTRODUCTION TO THE CODE

This Code of Conduct is a key part of the Authority's discharge of its statutory duty to promote and maintain high standards of conduct by its Members and co-opted Members. It is very much focused upon the principles of conduct in public life of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership and it is the intention of the Authority that the Code be used exclusively in that context and not for any other purpose. It sets an objective, non-political and high standard whose purpose is to remind Members of the Authority of the behaviour expected of them in public life and to set out clearly the key principles against which their conduct will be measured.

The Code also contains provisions for registration and declaration of interests the breach of which will now attract potential criminal sanctions.

The Council's Standards Committee hears breaches of the Code and decides on sanctions against Members found to be in default. Working closely with the Council's Monitoring Officer and Independent Person, the Standards Committee will oversee a straightforward and robust regime dealing only with substantial ethics and standards issues and filtering out the

inconsequential, trivial and vexatious. The Code will deal in broad common-sense principles and neither it nor the supporting arrangements are intended to be over-technical or over-procedural. To return to the wording of the statute, the Code is the Authority's public statement on the promotion and maintenance of high standards of conduct in public life.

Every Member and co-opted Member of Norfolk County Council, must sign an undertaking to observe the Code in the terms set out below.

THE CODE

As a Member or co-opted Member of Norfolk County Council, I have a responsibility to represent the community and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.

In accordance with the Localism Act 2011 provisions, when acting in this capacity I am committed to behaving in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in this authority.

SELFLESSNESS: Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

INTEGRITY: Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

OBJECTIVITY: In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

ACCOUNTABILITY: Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

OPENNESS: Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

HONESTY: Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

LEADERSHIP: Holders of public office should promote and support these principles by leadership and example.

As a Member of Norfolk County Council my conduct will in particular address the statutory principles of the Code by:

- Championing the needs of residents — the whole community and in a special way all my constituents and putting their interests first.
- Dealing with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.
- Not allowing other pressures, including the financial interests of myself or others connected to me, to deter me from pursuing constituents' casework, the interests of Norfolk nor the good governance of the authority in a proper manner.
- Exercising independent judgement and not compromising my position by placing myself under obligations to outside individuals or organisations who might seek to influence the way I perform my duties as a Member/co-opted Member of this authority.
- Listening to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.

- Being accountable for my decisions and co-operating when scrutinised internally and externally, including by local residents.
- Contributing to making this authority's decision-making processes as open and transparent as possible to enable residents to understand the reasoning behind those decisions and to be informed when holding me and other Members to account but restricting access to information when the wider public interest or the law requires it.
- Behaving in accordance with all our legal obligations, alongside any requirements contained within this authority's policies, protocols and procedures, including on the use of the Authority's resources.
- Valuing my colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.
- Always treating people with respect, including the organisations and public I engage with and those I work alongside.
- Providing leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this authority.

The Localism Act provides for the disclosure and registration of Disclosable Pecuniary Interests ("DPIs"). I agree to notify the Monitoring Officer of my DPIs as soon as I become aware of them and in any event within 28 days. The Monitoring Officer will retain a register of my DPIs and will publish these on the Authority's website. If I have a DPI in a matter to be considered at a meeting and I have not notified the Monitoring Officer of that DPI, I shall disclose it to the meeting. In all cases where I have a DPI in a matter to be considered at a meeting I will not speak or vote at that meeting.

In addition, if a matter affects, to a greater extent than others in my division:

- my 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 I am in a position of general control or management

then I will declare an interest (an "Other Interest") but provided it is not a DPI I may speak and vote on the matter.

APPENDIX ~~19~~

GIFTS AND HOSPITALITY – A CODE OF CONDUCT FOR MEMBERS

Commented [EH4]: Deleted. There is sufficient info in App 17 Code of Conduct. Remainder that is relevant will be included in a handbook for councilors

~~1. Introduction~~

~~1.1 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.~~

~~1.2 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.~~

~~1.3 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.~~

~~1.4 Against this background, the purpose of this Code is to set out –~~

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

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

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

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

~~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.~~

~~• General Principles~~

~~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:~~

~~(a) — Never accept a gift or hospitality as an inducement or reward for anything done as a Councillor.~~

~~A Councillor must act in the public interest and must not be swayed in the discharge of their duties by the offer, prospect of an offer, or the non-offer of any inducement or reward for discharging those duties in a particular manner.~~

~~As already explained the acceptance of such an offer amounts to a criminal offence.~~

~~Councillors must act in the public interest, serving the authority and the whole community, rather than acting in the interests of any particular individual or section of the community. It is a breach of the Code improperly to confer any advantage or disadvantage on any person, including oneself.~~

~~(b) — A gift or hospitality should only be accepted if there is a commensurate benefit to the authority.~~

~~The only proper reason for accepting any gift or hospitality is that there is a commensurate benefit for the authority which would not have been available but for the acceptance of that gift or hospitality.~~

~~Acceptance of hospitality can confer an advantage on the authority, such as an opportunity to progress the business of the authority expeditiously through a working lunch, or to canvass the interests of the authority and its area at a meeting. Acceptance of a gift is much less likely to confer such an advantage. But unless the benefit to the authority is clear and is commensurate with the value of the gift or hospitality, the presumption must be that the gift or hospitality is purely for Councillor's personal benefit.~~

~~Councillors must not improperly confer any advantage on anyone, including themselves. Acceptance as a Councillor of a gift or hospitality for their own benefit or advantage, rather than for the benefit to the authority, would be a breach of the Council's Code of Conduct.~~

~~(c) — Never accept a gift or hospitality if acceptance might be open to misinterpretation.~~

~~The appearance of impropriety can be just as damaging to the authority and to a Councillor as actual impropriety. The Council's ability to govern rests upon its reputation for acting fairly and in the public interest. Councillors must therefore consider whether the acceptance of the gift or hospitality is capable of being interpreted as a sign that they or the authority favours any particular person, company or section of the community or as placing themselves under any improper obligation to any person or organisation. If there is any possibility that it might be so interpreted, a Councillor must either refuse the gift or hospitality or take appropriate steps to ensure that such a misunderstanding cannot arise.~~

~~Certain occasions are particularly sensitive and require the avoidance of any opportunity for such misunderstanding. These include:—~~

- ~~(i) — occasions when the authority is going through a competitive procurement process, in respect of any indication of favour for a particular tenderer;~~

- ~~(ii) — determinations of planning applications or planning policy, in respect of any person or organisation which stands to gain or lose from the determination;~~
- ~~(iii) — funding decisions, when the authority is determining a grant application by any person or organisation.~~

~~(d) — Never accept a gift or hospitality if that places a Councillor under an improper obligation.~~

~~It is important to recognise that some commercial organisations and private individuals see the provision of gifts and hospitality as a means of buying influence. If a Councillor accepts a gift or hospitality improperly, it is possible that they may seek to use this fact to persuade the Councillor to determine an issue in their favour. Equally, if others note that a Councillor has been prepared to accept a gift or hospitality improperly, they may feel that they will no longer be able to secure impartial consideration from the Council.~~

~~(e) — Never solicit a gift or hospitality.~~

~~Councillors must never solicit or invite an offer of a gift or hospitality in connection with their position as a Councillor unless the acceptance of that gift or hospitality would be permitted under this Code. Councillors should also take care to avoid giving any indication that they might be open to such an improper offer.~~

2. — Consent Regimes

~~(a) — General consent provisions~~

~~For clarity, the authority has agreed that Councillors may accept gifts and hospitality in the following circumstances:—~~

- ~~(i) — civic hospitality provided by another public authority;~~
- ~~(ii) — modest refreshment in connection with any meeting in the ordinary course of their work, such as tea, coffee, soft drinks and biscuits;~~
- ~~(iii) — tickets for sporting, cultural and entertainment events which are sponsored by the authority;~~
- ~~(iv) — small gifts of low intrinsic value of £25 or less, branded with the name of the company or organisation making the gift, such as pens, pencils, mouse pads, calendars and diaries. However, care should be taken not to display any such branded items when this might be taken as an indication of favour to a particular supplier or contractor, for example in the course of a procurement exercise;~~
- ~~(v) — a modest alcoholic or soft drink on the occasion of an accidental social meeting, such as a pint of beer from an employee of a contractor or party with whom a Councillor has done business on behalf of the Council if that person is met accidentally in a public house, café or bar. In such cases, reasonable efforts should be made to return the offer where this is practicable;~~

- ~~(vi) a modest working lunch not exceeding £25 a head in the course of a meeting in the offices of a party with whom the Council has an existing business connection where this is required in order to facilitate the conduct of that business. Councillors should not make such arrangements themselves, but request officers to settle the detailed arrangements, and officers are under instruction, when arranging any such meeting, to make it clear to the other party that such a lunch must not exceed a value of £25 a head;~~
- ~~(vii) modest souvenir gifts with a value of £25 or less from another public authority given on the occasion of a visit by or to the authority;~~
- ~~(viii) hospitality received in the course of an external visit or meeting which has been duly authorised by the authority. Councillors should not make such arrangements themselves, but request officers to settle the detailed arrangements, and officers are under instruction to make it clear that any such hospitality for Councillors and officers is to be no more than commensurate with the nature of the visit;~~
- ~~(ix) other unsolicited gifts, where it is impracticable to return them to the person or organisation making the gift, provided that the Councillor deals with the gift strictly in accordance with the following procedure: The Councillor must, as soon as practicable after the receipt of the gift, pass it to the Chair of the Council's Officer together with a written statement identifying the information set out in Paragraph 3(b) below. The Chair's Officer will then write to the person or organisation making the gift thanking them on your behalf for the gift and informing them that the Councillor has donated the gift to the [Chair's Charity Fund], on whose behalf it will be raffled or otherwise disposed of in due course, the proceeds being devoted to a charitable cause chosen by the Chair.~~

~~(b) Special consent provisions~~

~~Councillors who wish to accept any gift or hospitality which is in accordance with the General Principles set out in Paragraph 2, but is not within any of the general consents set out in Paragraph 3(a), may only do so if they have previously obtained specific consent in accordance with the following procedure:~~

~~A written application must be made to the Chief Legal Office, setting out:~~

- ~~(i) the nature and an estimate of the market value of the gift or hospitality;~~
- ~~(ii) who the invitation or offer has been made by or on behalf of;~~
- ~~(iii) the connection which the Councillor has with the person or organisation making the offer or invitation, such as any work which the Councillor has undertaken for the authority in which they have been involved;~~

~~(iv) any work, permission, concession or facility which the Councillor is aware that the person or organisation making the offer or invitation may seek from the authority;~~

~~(v) any special circumstances which lead the Councillor to believe that acceptance of the gift or hospitality will not be improper.~~

~~The gift or hospitality must not be accepted until consent has been given by or on behalf of the Standards Committee.~~

~~The Chief Legal Officer will enter details of any approval in a register which will be available for public inspection on the occasion of the public inspection of the authority's accounts for the relevant year. But note that this does not relieve the Councillor of the obligation to register the receipt of gift or hospitality in accordance with Paragraph 4 below.~~

~~3. — Reporting~~

~~Where a Councillor accepts any gift or hospitality which is estimated to have a market value or cost of provision of more than £25, the Councillor must, as soon as possible after receipt of the gift or hospitality, make a declaration in writing to the Chief Legal Officer setting out the information set out in Paragraph 3(b) above. The Chief Legal Officer will retain a copy of any such declaration in a register which will be available for public inspection until the approval of the authority's accounts for the year in question.~~

~~Even if the value of the gift or hospitality is £25 or less, if the recipient is concerned that its acceptance might be misinterpreted, and particularly where it comes from a contractor or tenderer, they may make a voluntary declaration in the same manner to ensure that there is nothing secret or underhand about the gift or hospitality.~~

~~4. — Gifts to the Authority~~

~~Gifts to the authority may take the form of the provision of land, goods or services, either to keep or to test with a view to future acquisition, an offer to carry out works or sponsorship of a function which is organised or supported by the authority. A Councillor should not solicit any such gift on behalf of the authority except where the authority has formally identified the opportunity for participation by an external party and how that participation is to be secured, for example in relation to sponsorship of public musical and theatrical performances developers' contributions under Section 106 Agreements. A Councillor who receives such an offer on behalf of the authority, must first consider whether it is appropriate for the authority to accept the offer (in terms of whether the acceptance of the gift might be seen as putting the authority under any improper obligation, whether there is a real benefit to the authority which would outweigh any dis-benefits). A Councillor who does not have delegated authority to accept the gift, should report the offer directly to the Chief Legal Officer who has such delegated authority, together with a recommendation as to whether the gift should be accepted. The Chief Legal Officer will then write back to the person or organisation making the offer, to record the acceptance or non-acceptance of the gift, record the gift for audit purposes and ensure that the gift is properly applied for the benefit of the authority. A Councillor who has concerns about the motives of the person or organisation making the offer, or whether it would be proper for the authority to accept the gift, you should consult the Chief Legal Officer directly.~~

~~5. — Refused Offers~~

~~As a result of this protocol, there will be a number of circumstances when offers of gifts and hospitality must be refused. In addition, there will be circumstances where a Member wishes to refuse an offer even though the protocol allows its acceptance. Whilst it is not considered necessary in every case that such offers are recorded there will be circumstances when it is in the public interest that they should be. These are:-~~

~~(a) when the offer appears to be an inducement or reward for something expected from the Councillor (see paragraph 2(a));~~

~~(b) offers from commercial organisations or private individuals over £25 in value.~~

~~In these circumstances, details should be passed to the Chief Legal Officer within 28 days of the offer being made.~~

~~6. — Definitions~~

~~(a) "Councillor" includes outside appointments to Committees.~~

~~(b) "Gift or hospitality" includes:~~

~~(i) the free gift of any goods or services;~~

~~(ii) the opportunity to acquire any goods or services at a discount or on terms which are more advantageous than those which are available to the general public;~~

~~(iii) the opportunity to obtain any goods or services which are not available to the general public;~~

~~(iv) the offer of food, drink, accommodation or entertainment, or the opportunity to attend any cultural, sporting or entertainment event.~~

~~(c) References to the "value" or "cost" of any gift or hospitality are references to the higher of:~~

~~(i) the estimate of the cost to the person or organisation of providing the gift or consideration;~~

~~(ii) the open market price which a member of the public would have to pay for the gift or hospitality, if it were made available commercially to the public, less the cash sum of any contribution which the Councillor would be required to make towards that price to the person or organisation providing or offering the gift or hospitality.~~

APPENDIX 27

Commented [EH5]: Annex B3 change of financial limit to reflect revised Code of Conduct

MONITORING OFFICER PROTOCOL

This protocol has been produced following the recommendation of the District Auditor that guidelines be produced for the benefit of Members and Senior Officers on the role of the Monitoring Officer which in Norfolk is discharged by the Director of Governance.

1. **INTRODUCTION**

This protocol explains the role and functions of the County Council's Monitoring Officer and the arrangements for ensuring this role is effectively carried out. It is based on the understanding that the ability of the Monitoring Officer to undertake this role effectively depends on excellent working relations with colleagues and Members and on the flow of information and access to debate particularly at early stages.

2. **FUNCTIONS**

The specific functions of the County Council's Monitoring Officer are detailed in the Appendix. The chief responsibilities can be summarised as these:

- (a) A duty to report to the Council in any case where the Monitoring Officer is of the opinion that any proposal or decision is or is likely to be illegal or to constitute maladministration. These matters are referred to in this Protocol as "reportable incidents".
- (b) A range of functions relating to Members' conduct.
- (c) Specific functions under the Council's Constitution.

3. **DISCHARGE OF FUNCTIONS**

3.1 In order to ensure the effective undertaking of these duties, the Monitoring Officer will:

- (a) Have regular meetings with each of the Head of Paid Service, Executive Director Finance & Commercial Services and Commercial Services, and Head of Governance and Regulatory Services to review current and likely future issues with legal, constitutional or ethical implications.
- (b) Maintain good liaison and working relations with the District Auditor.
- (c) Ensure that the County Council is kept up to date on new legislation and changes in the law which are relevant to the carrying out of the County Council's activities. This will generally take the form of reports to Members and briefing notes to Chief Officers but where appropriate will involve training sessions for relevant Members and Officers. These activities will be carried out in consultation and conjunction with relevant Chief Officers.

3.2 In addition, Chief Officers will ensure that:

- (a) The Monitoring Officer, their Deputy and the Senior Officers at nplaw are consulted at an early stage on new policy proposals and on matters which have potentially significant legal implications. Where there is any doubt, the Chief Officer should always consult.
- (b) All draft reports to the Council and Committees should as a matter of routine be cleared with the Monitoring Officer, Deputy or the senior staff at nplaw.
- (c) The Monitoring Officer is informed of all emerging issues of concern of a legal, ethical or constitutional nature.

Similarly, Members should ensure that the Monitoring Officer is routinely informed and consulted in respect of new policy proposals.

The Monitoring Officer will always seek to resolve any potential illegality by identifying alternative and legitimate means of achieving the objective of the purpose. (See also para. 3.5(a)).

3.3 Also, in cases where external Lawyers are acting for the County Council, it will be necessary for the relevant Chief Officer and the Monitoring Officer to agree arrangements for ensuring that vires and constitutional issues are satisfactorily addressed.

- 3.4 (a) The Monitoring Officer will seek to resolve potential reportable incidents (as defined in para 2(a)) by avoiding the illegality, etc., or by identifying alternative and legitimate means of achieving the objective of the proposal. Accordingly, and given that County Council Officers and Members are encouraged to consult the Monitoring Officer in respect of any proposal, the Monitoring Officer will only need to make a public report on the matter if the proposal were to be a potential reportable incident and the Officer or Member subsequently took any action to progress that proposal despite being advised to the contrary by the Monitoring Officer.
- (b) Where the Monitoring Officer receives a complaint of a potential reportable incident, they must in appropriate cases seek to resolve the matter amicably, by securing that any illegality or failure of process is rectified. However, it is recognised that the Monitoring Officer may decide that the matter is of such importance that a statutory report is the only appropriate response.
 - (c) In appropriate cases, and to secure the rapid resolution of a potential reportable incident or avoid a separate statutory report, the Monitoring Officer will be entitled to add their written advice to the report of any other County Council Officer.
 - (d) Notwithstanding the above, the Monitoring Officer retains the right to make a statutory report where, after consultation with the Head of Paid Service and the Executive Director Finance and Commercial Services, they are of the opinion that such is necessary in order to respond properly to a reportable incident.

3.5 Finally, and to assist in the effective undertaking of these duties, the Monitoring Officer will have the following rights:

- (a) To receive advance notice of meetings whether formal or informal between Chief Officers and the Leader, Cabinet Members, the Executive or Committee Chairs will be given to the Monitoring Officer where any procedural, vires or other constitutional issues are likely to arise, together with the right to attend such meetings.
- (b) To receive advance notice of meetings of the Council's, Corporate Board, Executive Directors and agenda and reports and the right to attend and speak.
- (c) To see all documents and information held by or on behalf of the County Council, including documents and information held by any Council Officer or Member. However, this right does not extend to documents and information held by or on behalf of any political party represented on the Council.
- (d) To attend any meetings of Officers or Members (or both), whether such meetings include any other persons. However, this right does not extend to any meetings held by or on behalf of any political party represented on the Council.
- (e) To require any County Council Officer or Member, or any contractor to provide an explanation of any matter under investigation.
- (f) To report to the Council, and its Committees, including a right to present a written report and to attend and advise orally.
- (g) To have access to the Head of Paid Service and to the Executive Director Finance & Commercial Services and Commercial Services (as the Council's Section 151 Officer).
- (h) After consultation with the Head of Paid Service and the Executive Director Finance & Commercial Services and Commercial Services, to notify the Police, the Council's Auditors and other regulatory agencies of concerns in respect of any matter and to provide them with information and documents in order to assist them with their statutory functions.
- To obtain, at the Council's expense, legal advice, either internally or from an independent external Solicitor or Barrister, on any matter which it is believed may be a reportable incident.

4. CONFLICTS

Where the Monitoring Officer is in receipt of a complaint or is aware of a potential reportable event relating to a matter upon which they have previously advised the County Council, they must consult the Head of Paid Service who may then either refer the matter to the Deputy Monitoring Officer for investigation and report back to the Head of Paid Service or request a neighbouring authority to make their Monitoring Officer available to the County Council to investigate the matter and report to the Head of Paid Service and/or the County Council as appropriate.

Annex

FUNCTIONS OF MONITORING OFFICER

A. FUNCTIONS UNDER SECTION 5 OF THE LOCAL GOVERNMENT AND HOUSING ACT 1989

To report to the Council in any case where the Monitoring Officer is of the opinion that any proposal or decision of the authority in respect of any matter which, in their opinion, has given rise to or is likely to or would give rise to any illegality or maladministration.

B. FUNCTIONS RELATING TO STANDARDS

- (1) To act as the principal adviser to the Standards Committee and in that role to contribute by training and otherwise to the provision and maintenance of high standards of conduct.
- (2) To maintain the Register of Members' Interests and in this connection to receive from Members written notification of disclosable pecuniary interests and other interests and to receive written notification of any change to those interests.
- (3) To receive written notification from Members of the existence and nature or any gift or hospitality exceeding £~~50~~²⁵.
- (4) Dealing with complaints against Members, including the conduct of investigations and reporting to the Standards Committee.
- (5) To process requests from Members for dispensations to speak and vote at meetings.
- (6) To maintain and promote the Council's Anti-Fraud and Corruption Strategy.
- (7) To keep the Code of Corporate Governance under review.

C. FUNCTIONS RELATING TO THE CONSTITUTION

- (1) To refer matters relating to conduct, ethics and propriety to the Standards Committee.
- (2) To monitor the operation of the Constitution and to make recommendations on how it can be amended in order to better to achieve the overall purposes. This may include observing meetings of different parts of the Member/Officer structure; undertaking an audit trail of a sample of decisions; recording and analysing issues raised by Members, Officers, the public and other relevant stakeholders; and comparing practices in this authority with those in other comparable authorities, or national examples of best practice.

- (3) To be consulted by the Head of Governance and Regulatory Services -on changes to factual references in the Constitution or changes required by a change in the law. Also, to publish changes to the Constitution.
- (4) To publicise the Constitution by ensuring that access is given to each Member on their being elected to the Council; ensuring that copies are available for inspection at Council offices, libraries and other appropriate locations, and can be purchased by members of the local media and the public on payment of a reasonable fee; ensuring that the executive summary is made widely available within the area and is updated as necessary; and ensuring the publication of changes made.

APPENDIX 33

Commented [EH6]: Deleted and a guidance handbook will be provided for members

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 summarise 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 [Chief Legal Officer](#) should be contacted.
- 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.

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—A Member or officer serving on an outside body must also ensure that avoidable loss is not incurred in managing that body. Individual responsibility cannot be avoided by not reading the papers or failing to ask for appropriate reports. Professional advice should also be sought where appropriate.
- 2.7—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 Chief Legal Officer Director of Governance.
- 2.8—
- 2.9—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.
- 2.10—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 Finance & Commercial Services** and Commercial Services or the Chief Legal Officer Director of Governance (as appropriate) if they have any financial or other concerns about the body to which they have been appointed.

COMPANY DIRECTORS

1.1— Company Directors have the following duties:—

~~A duty to the company (not individual shareholders) to act honestly and in good faith and in the best interests of the company as a whole. This means taking proper care of the assets of the company.~~

~~A general duty of care and skill to the company. This means that Directors must exercise a degree of skill as may reasonably be expected from someone with that individual's particular knowledge and experience. However, Directors are not deemed to be experts, but are expected to use due diligence and to obtain expert advice if necessary.~~

~~Directors must exercise independent judgement, although they may take account of the interests of any third party whom they represent. This may well require interests to be declared (see below). However, Directors cannot vote simply in accordance with the Council's mandate.~~

~~Directors are not allowed to make a profit from their position. They must therefore disclose any interests they or their family may have in relation to the company's contracts. Whether they are then allowed to vote will depend on the company's Articles of Association.~~

~~Directors must ensure compliance with the Companies Act in relation to the keeping of accounts and making of returns to the Registrar of Companies and the information to be shown on stationery.~~

~~There is a duty to have regard to the interests of the company's employees, particularly, for example, in respect of health and safety.~~

~~Directors also have a range of accounting and financial responsibilities, including the preparation of accounts for each financial year, ensuring accounting records are maintained sufficiently to demonstrate the company's day to day transactions, approving the annual accounts and laying them before a general meeting and ensuring that annual accounts and reports are sent to shareholders and anyone else entitled to receive them.~~

1.2— Individual Directors can also be liable in certain circumstances, including the following:—

~~A company can only act within the scope set out in its Memorandum of Association, and those Directors who knowingly cause the company to act beyond these activities will be liable personally.~~

~~Directors may also be liable for breach of trust if they misapply the money or property of the company. Directors may also be liable if they fail to take action to prevent the breach of a Co-Director of which they are aware.~~

~~In the event of a failure to act in accordance with the best interests of the company, or if Directors use their powers improperly or make a personal profit from their position as a Director, then they may be personally liable for loss to the company and may be required to give to the company the personal profit made.~~

~~If the level of skill and care shown by a Director falls below that which could reasonably be expected, and the company suffers loss, the Director will be liable for the loss incurred. However, if it believes the Director acted honestly and reasonably, a Court may excuse the Director from this liability.~~

~~If a Director knows or ought to know that there is no reasonable prospect of the company avoiding liquidation, the Court may require the Director to contribute to the company's assets on liquidation if the company continues to trade. This is known as wrongful trading. No such order will be made if the Court is satisfied that the Director took all reasonable steps to minimise the loss to the creditors.~~

~~Directors will also be liable if to their knowledge the company carried on business with intent to defraud creditors or any other person, or for any other fraudulent purpose.~~

~~Where a company fails to pay National Insurance contributions, and this is due to fraud or neglect on the part of any director(s) of the company, they may be held personally responsible for the outstanding contributions.~~

~~1.3— Finally, Information (apart from confidential information) must be given to other Councillors about their activities as required by the local authority.~~

CHARITY TRUSTEES

~~1.1— Trustees must acquaint themselves with the terms of the Trust. In the case of a charity which is also a company, these terms will be found in the Memorandum and Articles of Association. Other Trusts will be found in the document under which the charity was established, such as a will or deed of gift or constitution.~~

~~1.2— Charity Trustees have the following duties:—~~

~~Trustees must act in accordance with the terms of the Trust.~~

~~The property of the charity must be used for the purposes for which the charity was set up. It must also be applied fairly between those properly entitled to benefit from it.~~

~~Trustees have a duty to exercise such care and skill as is reasonable in the circumstances having particular regard to any special knowledge or experience that they have or holds themselves out as having. In addition, where a Trustee acts in the course of a business or profession, particular regard must be had to any special knowledge or experience which it is reasonable to expect of a person acting in the course of that kind of business or profession.~~

Trustees must always act in the interests of the charity and of its beneficiaries or potential beneficiaries and without regard to their own private interests. This means that Charity Trustees must not put themselves in a position where their interests and duties conflict.

The work must generally be unpaid. Trustees may be paid for their expenses from the charity's income and, very occasionally, the Charity Commission may allow wider remuneration where this is in the interests of the charity.

Trustees cannot benefit either directly or indirectly from the charity.

They must act reasonably and prudently in all matters relating to the charity and must always bear in mind the interests of the charity. They should manage the charity as carefully as if they were running their own business. Although they may delegate certain of their functions under the Trustee Act 2000 and also under any powers in the trust document, they remain legally responsible and must supervise and control the work of officers.

Trustees must act in accordance with all relevant legislation.

They have a duty to provide information to the Charity Commissioners. Most charities (except small ones with an annual income under £1000 a year) are required to register under the charities legislation. The Charity Commissioners rely on this information when making a decision about a charity, so it is very important that it is accurate. It is an offence to give the Charity Commissioners false or misleading information, or to alter, conceal or destroy charity documents which may be required by the Commissioners.

All registered charities are subject to a number of accounting and reporting requirements, depending on their income and expenditure. These involve maintaining proper accounts, preparing the annual statement of accounts and an annual report and in some cases submitting them to the Charity Commission; and where the charity's gross income and total expenditure exceeds £10,000, making an annual report to the Charity Commission. Charity trustees are under a duty to ensure that these accounting and reporting requirements are carried out and to approve the annual report and accounts.

The accounts of registered charities with a gross income or total expenditure exceeding £10,000 must, at the option of the trustees, be either audited or independently examined. In addition, if either income or expenditure has been more than £250,000 in either of the previous two financial years then accounts must be audited by a registered auditor.

Retaining accounting records and statements of account for at least 6 years.

MANAGEMENT COMMITTEES

- 5.1 Groups which are not charitable trusts or limited companies are "unincorporated associations" and have no separate legal identity from their Members. The rules governing the Members' duties and liabilities will be set out in a constitution, which is simply an agreement between the Members as to how the organisation will operate. Usually the constitution will provide for a management committee to be responsible for the everyday running of the organisation. An unincorporated organisation may be charitable and registerable as a charity (in which case the rules in paragraph 3 will apply).
5. Broadly, management committee Members must act within the terms of the constitution and must take reasonable care in exercising their powers.
- 5.3 Generally, Members of management committees are liable for the acts of the organisation but are entitled to an indemnity from the funds of the organisation if they have acted properly. If there are not enough funds, the committee Members are personally liable for the shortfall. If one person is appointed by the constitution to act as the agent of the organisation for certain purposes, then that person acts as the agent of all the Members, who have joint liability for the agent's actions. Members of the management committee will have a personal liability if they act outside the authority given them or if they do not comply with the law.

OTHER PUBLIC BODIES

- 1.1 There are bodies created by an Act of Parliament to carry out particular functions and whose constitution is set out in the legislation relating to that specific body. Examples include the Broads Authority, Internal Drainage Boards and school governing bodies.
- 1.2 The powers of the Members of the body and duties and liabilities of those Members individually and collectively depend upon the wording of the legislation in question. In general terms, however, the position of a Member is similar to that of a Councillor. It is therefore wise for a Member of any of these bodies to obtain information for themselves from that body on its powers and duties, its Standing Orders and other procedures which they must follow and financial or other regulations which govern the conduct of its business.
- 1.3 In addition, conflicts of interest can occasionally arise for such appointees. In this respect, the general provisions described in Section 2 will apply.
- 1.4 Finally, there is the developing area of partnerships and partnership boards. Generally, these are not legal entities in their own right and Members are appointed purely to represent the County Council. In these circumstances the specific duties referred to above will not therefore tend to apply nor will there be a potential for a conflict of interest. On the other hand, the position may well be different if a separate legal entity is formed as part of the partnership working.

INTERESTS

~~7.1—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. However, the effect of the Code of Conduct is that in most (but not necessarily all) cases a Member will not have a Disclosable Pecuniary Interest (and therefore need not make any declaration)) if the matter relates to an outside body to which the County Council have appointed the Member as its representative.~~

~~7.2—If you do not have a Disclosable Pecuniary Interest you may nevertheless have another Interest in a matter to be discussed if it affects:~~

- ~~— your wellbeing or financial position~~
- ~~— that of your 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 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.~~

~~7.3—When Members discuss at Council meetings matters relating to an outside body on which they serve, they may take account of that outside body's interest. However, they must not vote simply in accordance with the mandate of that outside body. In short, the primary consideration is the public interest.~~

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 the following:—~~

- ~~(a)—The indemnity only applies to the extent that the outside body does not have in place relevant insurance cover.~~
- ~~(b)—The indemnity does not extend to criminal actions, any other intentional wrong doing, fraud, recklessness or the bringing of an action for defamation.~~
- ~~(c)—The appointment to the outside body must be approved by Members or alternatively, in the case of an officer appointment, by the Head of Paid Service.~~
- ~~(d)—The indemnity will not apply if the appointee, without the express permission of the County Council, admits liability or negotiates or attempts to negotiate a settlement of the claim.~~
- ~~(e)—The indemnity is given on the condition that the County Council may, at its discretion, take over the defence of any case to which the indemnity relates and to see any legal~~

advice obtained by the Member or officer concerned.

8.2—As to the provision of indemnities by the outside body to which a Member or officer has been appointed:—

(a)—Companies can now give their Directors indemnities. However, such indemnities cannot cover:—

- (i)—the Director's liability to the company itself or to other companies within the same group;
- (ii)—fines imposed on a Director in criminal proceedings or in respect of a sum payable to a Regulatory Authority by way of penalty for non-compliance with any requirement of a regulatory nature; or
- (iii)—liabilities incurred by a Director in defending criminal proceedings where convicted, or in defending any civil proceedings brought by the company, or an associated company in which judgement is made against such Director.

(b)—With regard to Charitable Trusts, an indemnity can be given from the Trust Fund provided the Trustee has acted properly and within their powers. Trustees may take out insurance to protect themselves against personal liability, but not for criminal acts, fraud etc. There will be no problem if the Trustees themselves pay the premiums but if they are paid out of the Charitable Funds the Trustees will need to consent to the Charity Commission unless the Trust Deed specifically allows it.

(c)—With regard to Management Committees, Members will be entitled to an indemnity if they act in accordance with the Constitution and are not at fault. It is also possible to obtain insurance but if the organisation is to pay the premium it must be permitted by the Constitution.

RELATED ISSUES

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.~~

FURTHER INFORMATION

If you require any further information about the issues raised in these Guidance Notes please contact the following:-

For legal/constitutional advice — Helen Edwards, [Chief Legal Officer](#), on (01603) 223415

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

CHECKLIST

Checklist for protecting Members and officers appointed to external bodies. A local authority appointing Members and officers to external bodies can ensure the necessary protections are in place by applying the following checklist. It should:

- ~~Ensure powers permit participation in the type of body and in the manner envisaged.~~
- ~~Ensure internal policies are complied with and ongoing decision-making will not be compromised by the individual Members participating in the organisation.~~
- ~~Train all Members and staff on liabilities, for example by making a standard advice note available.~~
- ~~Check every external company carries insurance cover for directors.~~
- ~~Ensure individuals appointed to outside bodies have training on recognising and addressing conflicts of interest.~~
- ~~Ensure that the external body provides an indemnity and insurance for Members appointed to it, or that the Council's indemnity insurance covers extended liability.~~
- ~~Consider whether a resolution is required to indemnify all Members and officers participating in external organisations.~~
- ~~Take whatever steps are necessary to record the appointment in the Members' register of interests~~
- ~~With regard to the appointment of officers, the County Council should:~~

- ~~Ensure job descriptions are extended to include work for external bodies (with the appropriate approvals, for example from the Chief Executive or director).~~
- ~~Extend the standard indemnity to include approved outside work where it comes within the extended job description.~~
- ~~Have regard to the remuneration ceiling applied by law to directors of local authority controlled or influenced companies.~~

CORPORATE SELECT COMMITTEE – FORWARD WORKPLAN 2021/22

Item 9

Corporate Select Committee	12 July 2021 Theme: People	13 September 2021 Theme: Transformation	15 November 2021 Theme: Assets and Transformation
Corporate	<p>Part A –</p> <ul style="list-style-type: none"> • Update on Review of Unconscious and Structural Bias • Staff Survey results and planning • Business Transformation and Smarter Working <p>Part B -</p> <ul style="list-style-type: none"> • Committee forward plan 	<p>Part A –</p> <ul style="list-style-type: none"> • HR & Finance system replacement – implementation planning • Digital Norfolk Strategy & Digital Inclusion <p>Part B –</p> <ul style="list-style-type: none"> • Committee forward plan 	<p>Part A –</p> <ul style="list-style-type: none"> • Business Transformation and Smarter Working <p>Part B –</p> <ul style="list-style-type: none"> • Committee forward plan

To be rescheduled from March 2021:

- Asset Management Plan
- Norfolk Plc update