



Gloucestershire

COUNTY COUNCIL

CONSTITUTION COMMITTEE

3.00 pm

WEDNESDAY

10 DECEMBER 2014

**Cabinet Suite - Shire Hall,
Gloucester**

MEETING PAPERS



CONSTITUTION COMMITTEE

TIME: 3.00 pm
DATE: Wednesday 10th December, 2014
VENUE: Cabinet Suite - Shire Hall, Gloucester

A G E N D A

ITEM	TOPIC	CONTACT
1.	Apologies for absence	Joanne Bolton
2.	Minutes (Pages 1 - 4) To approve the minutes of the meeting held on 9 June 2014.	Joanne Bolton
3.	Public Questions To answer any written public questions about matters which are within the powers and duties of the Committee. The closing date/time for receipt of questions is 10.00am on 3 December 2014. To answer any oral question(s) put by members of the public with the consent of the Chairperson.	Joanne Bolton
<i>Depending on the nature of the questions asked it may not be possible to provide a comprehensive answer at the meeting, in which case a written answer will be supplied as soon as reasonably possible after the meeting.</i>		
4.	Members' Questions To answer any written members' questions. The closing date/time for the receipt of questions is 10.00am on 3 December 2014.	Joanne Bolton
5.	Review of revised procedure for Council Questions Committee to review the change to Procedural standing order 2.1 in part 4 of the Constitution, relating to the order of business at full Council meetings which was amended so that member questions are considered immediately following motions.	Cllr Mark Hawthorne

This amendment was agreed at the full Council meeting of 25 June 2014. Council also resolved that the change be reviewed by the Constitution Committee after three full Council meetings (June, September and November 2014).

- 6. Items requested by Cllr Jeremy Hilton**
- a) Overview and scrutiny Cllr Jeremy Hilton
 Following the debate at full Council on 26 November 2014, Cllr Hilton has requested that further consideration be given to the establishment of an overview and scrutiny committee to look at the fire and rescue service, emergency planning and business continuity.
- b) Tied votes
 Cllr Hilton has requested that an appropriate amendment is made to the constitution to ensure that the position is clear when there is a tied vote.
- 7. Revisions to the Employee Code of Conduct (Pages 5 - 26)**
 To consider the attached report. Jane Burns
- 8. Gloucestershire Economic Growth Joint Committee (Pages 27 - 30)**
 To ratify the changes made to the Constitution by the Monitoring Officer. Gillian Parkinson
- 9. Commons and Rights of Way Committee (Pages 31 - 32)**
 To ratify the changes made to the Constitution by the Monitoring Officer. Jane Burns

NOTES

- (a) **MEMBERSHIP** –Cllr Colin Guyton, Cllr Mark Hawthorne, Cllr Jeremy Hilton, Cllr Paul Hodgkinson, Cllr Nigel Moor, Cllr Brian Oosthuysen, Cllr Ray Theodoulou, Cllr Lesley Williams and Cllr Will Windsor-Clive
- (b) **DECLARATIONS OF INTEREST** – Members requiring advice or clarification about whether to make a declaration of interest are invited to contact the Monitoring Officer: Jane Burns ☎01452 328472 /fax: 425149/e-mail: jane.burns@gloucestershire.gov.uk prior to the commencement of the meeting.
- (c) **INSPECTION OF PAPERS AND GENERAL QUERIES** - If you wish to inspect reports relating to any item on this Agenda or have any other general queries about the meeting, please contact

Simon Harper, Head of Democratic Services
 ☎: 01452 425230/fax: 425850/e-mail: simon.harper@gloucestershire.gov.uk



EVACUATION PROCEDURE - in the event of the fire alarms sounding during the meeting please leave as directed in a calm and orderly manner and go to the assembly point which is outside the main entrance to Shire Hall in Westgate Street. Please remain there and await further instructions.



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CONSTITUTION COMMITTEE

MINUTES of the meeting of the Constitution Committee held on Monday, 9 June 2014 at 1pm.

PRESENT

Membership:

Cllr Mark Hawthorne	Cllr Ray Theodoulou
Cllr Jeremy Hilton	Cllr Lesley Williams
Cllr Brian Oosthuysen	Cllr Will Windsor-Clive

Substitutes:

Cllr Dorcas Binns (in place of Cllr Nigel Moor)
Cllr Richard Leppington (in place of Cllr Colin Guyton)
Cllr Klara Sudbury (in place of Cllr Paul Hodgkinson)

Apologies:

Cllrs Colin Guyton, Paul Hodgkinson and Nigel Moor

Officers:

Jane Burns, Director of Strategy & Challenge and Monitoring Officer
Christine Wray, Head of Legal Services
Gillian Parkinson, Deputy Head of Legal Services
Claire Edwards, Team Leader – Economic Development and Strategic Planning
Simon Harper, Head of Democratic Services

70. APPOINTMENT OF CHAIRMAN (AI 1)

Cllr Mark Hawthorne was appointed Chairman of the Constitution Committee for the 2014-15 civic year.

71. MINUTES (AI 3)

The minutes of the meeting held on 10 March 2014 were confirmed and signed as a correct record.

72. PUBLIC QUESTIONS (AI 4)

There were no public questions.

73. MEMBER QUESTIONS (AI 5)

There were no member questions.

74. UKIP MOTION - REVISED PROCEDURE FOR COUNCIL QUESTIONS (AI 6)

At the full Council meeting held on 19 March 2014, the following resolution was passed:

This Council notes the increasing number of questions submitted to Council and Cabinet meetings. There have been close to 100 questions submitted to the last two Council meetings alone.

The impact on the work of Cabinet members and senior officers who prepare responses is of serious concern when they should be working on behalf of council taxpayers to deliver quality services to the residents of Gloucestershire.

The Constitution Committee should therefore be asked to consider making a recommendation to the Council that the current rules relating to member questions be amended to ensure that a question is only answered at Council or Cabinet if a member has previously submitted it in writing to the relevant Cabinet member and, in the opinion of the member, a satisfactory response has not been received within 10 working days.

Cllr Richard Leppington who was in attendance on behalf of Cllr Colin Guyton, the mover of the original motion, said that the UKIP Group were concerned at the amount of time taken at the start of full Council meetings in dealing with member questions. He said that his group were supportive of a compromise whereby member questions at full Council meetings were considered after motions rather than near the start of meetings. He was anxious, however, that this was reviewed after a suitable period.

A member spoke strongly against the original motion and believed that it would lead to duplication and result in extra work for Cabinet members and officers. He was not supportive of moving questions to later on the Council agenda as he felt that it was appropriate that they were asked at the start of the meeting. He supported a suggestion that extra time should be provided at the end of the meeting to allow member question time to be completed if this was not possible during the 30 minutes at the start of the meeting.

Another member stated that there might be unintended consequences of moving member questions to later in the meeting. She said that members might submit more questions because of concerns that they might not be present later in the meeting to ask supplementary questions. She also believed that it was right for member questions to be considered at the start of the meeting when the public were more likely to be present.

A number of members supported the proposal for member questions to be considered after motions. They noted that motions were the most important part of Council meetings and the proposal would mean that they would be considered earlier. By moving member questions towards the end of the agenda, members with other commitments could leave the meeting having still had the opportunity to debate the motions.

RESOLVED TO RECOMMEND TO THE COUNCIL that

- a) *Procedural standing order 2.1 in part 4 of the Constitution (page 79) relating to the order of business at full Council meetings be amended so that member questions are considered immediately following motions.*
- b) *This change be reviewed by the Constitution Committee after three full Council meetings.*

75. GLOUCESTERSHIRE ECONOMIC GROWTH OVERVIEW AND SCRUTINY COMMITTEE (A17)

Consideration was given to a report providing information on the creation of the Gloucestershire Economic Growth Overview and Scrutiny Committee.

The Deputy Head of Legal Services outlined the proposed changes to the Council's Constitution including the requirement for a voting scheme to be agreed with the district councils.

Members noted that it would be a County Council overview and scrutiny committee comprising six members (2 Cons: 2 Lib Dem: 1 Lab: 1 UKIP) and six co-opted district members (one from each council).

The special responsibility allowance for the chairman of the committee would need to be assessed by the Independent Remuneration Panel and, if necessary, confirmed by full Council ahead of the first meeting in the Autumn.

RESOLVED TO RECOMMEND TO THE COUNCIL that

- a) *The Constitution be amended to create the Gloucestershire Economic Growth Overview and Scrutiny Committee in accordance with the report.*
- b) *Six county councillors be appointed to the committee (2 Cons: 2 Lib Dem: 1 Lab: 1 UKIP).*
- c) *The chairman be appointed from amongst the County Council membership of the committee.*

Minutes subject to their acceptance as a correct record at the next meeting

- d) *The Independent Remuneration Panel be asked to assess the special responsibility allowance for the chairman to allow the level of allowance to be confirmed ahead the first meeting of the committee in the Autumn.*

76. AUDIT AND GOVERNANCE COMMITTEE - REVISED TERMS OF REFERENCE (AI 8)

The committee considered a report setting out revised terms of reference for the Audit and Governance Committee. These reflected the requirements of the new Public Service Internal Audit Standards 2013.

RESOLVED TO RECOMMEND TO THE COUNCIL *that the revised terms of reference for the Audit and Governance Committee included in the report be approved.*

77. AMENDMENTS TO THE CONSTITUTION (AI 9)

The committee considered a report proposing a number of changes to the Constitution to reflect good practice, ensure consistency and address issues which had been raised by members since the election in May 2013.

Following debate around a number of the changes proposed, it was

RESOLVED TO RECOMMEND TO THE COUNCIL *that the changes proposed to the Constitution in annex 3 be approved subject to the following:*

- a) *Procedural standing order 2.1.8 on page 80 (12 - full Council meetings) – add ‘Note: motions will not normally be allowed at the Annual Meeting following a County Council election. However, in exceptional circumstances, the Chief Executive may allow a motion to be presented following consultation with Group Leaders’.*
- b) *No change to procedural standing order 9.7 on page 83 (16 - supplementary questions from the public).*
- c) *No change to procedural standing order 9.3 on page 115 (21 - deadline for questions at Cabinet meetings).*

CHAIRMAN

The meeting ended at 2.20pm

CONSTITUTION COMMITTEE
EMPLOYEE CODE OF CONDUCT
REPORT OF THE MONITORING OFFICER

10 December 2014

1. INTRODUCTION AND BACKGROUND

A revised Employee Code of Conduct was considered by this Committee on 5 February 2013.

The amendments were to the section of the Employee Code of Conduct on membership of clubs, societies and other organisations (paragraphs 82 and 85).

Following on from an Internal Audit Review of the Employee Code, it was recommended that the document should be up-dated to reflect recent legal and other changes, and to communicate the Code to staff on a periodic basis.

A number of amendments are shown as track changes attached.

Staffstuff, the electronic staff newsletter is being used to publicise the code and any changes.

2. RECOMMENDATION

That the Committee consider the revised draft of the Employee Code of Conduct and recommends approval and adoption to full Council.

Jane Burns,
Director of Strategy & Challenge and Monitoring Officer
jane.burns@gloucestershire.gov.uk
Ext. 8472

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CODE OF CONDUCT AND CONFIDENTIAL REPORTING PROCEDURE (WHISTLE-BLOWING) FOR EMPLOYEES OTHER THAN FOR STAFF IN EDUCATIONAL ESTABLISHMENTS (FOR WHOM A SEPARATE CODE EXISTS)

1. This Code also applies to others working within the County Council regardless of the basis of the employment including:-
 - Secondments (both to and from the County Council);
 - Temporary assignments (both to and from the County Council), Work Placements and Trainees;
 - Office holders; and
 - Employees acting as members of companies or voluntary organisations.

The Code also extends to additional and dual employment that has been secured as a result of working for local government.

Inevitably some of the issues covered by the Code will affect senior, managerial and professional employees more than others – but the basic principles apply to everyone.

INTRODUCTION

2. The purpose of this Code is to give all employees guidance on how the County Council and the public in general expect them to behave. If the Code is followed then staff should not find themselves in a situation where their conduct could create an impression of conflict of interest or corruption in the minds of the public. If staff are unsure of the standards expected of them guidance should be sought from their Chief Officer or, in the case of Chief Officers, the Chief Executive.
3. The areas covered by this Code are as follows:
 - Standards;
 - Personal Appearance;
 - Use of the Council's Facilities and Equipment;
 - Fraud and Corruption;
 - Gifts, Hospitality and Sponsorship;
 - Register of Gifts and Hospitality;
 - Disclosure and Use of Information;
 - Political Neutrality;
 - Relationships;
 - Appointments and Other Employment Matters;
 - Undertaking Additional Outside Work;

- Arrest or conviction on civil or criminal charges;
- Membership of clubs, societies and other organisations;
- Equality Issues;
- Health and Safety Issues;
- Confidential Reporting Procedure (Whistle-blowing); and
- Breaches of the Code of Conduct.

STANDARDS

4. Employees are expected to give the highest possible standard of service to the public and to provide advice to Councillors and fellow employees with impartiality. The highest standard of probity must apply and employees must report any suspected unlawfulness, mal-administration, impropriety or breach of procedure of which they are aware to their Chief Officer. (See also paragraph 86 and Appendix 1 of this Code).
5. The Council, for its part, considers it has a duty to protect employees against unjustified allegations of wrong doing.

PERSONAL APPEARANCE

6. Although the Council has not adopted a formal dress code it does expect employees to observe a standard of personal hygiene and appearance which is appropriate to the nature of the work undertaken.

USE OF THE COUNCIL'S FACILITIES AND EQUIPMENT

7. The Council is entitled to expect at least the same standard of care of its property as employees give to their own property. Any facilities, property or equipment provided by the Council should only be used in connection with official duties except where the Council has agreed to private use. There are arrangements for the use of some services for private purposes on the payment of approved charges e.g. private telephone calls and photocopies, etc. You should always ensure that there is either general or specific agreement to private use of any facility or equipment.
8. When an employee ceases working for the Council all paper and electronic records (and copies) ~~s and other records~~, equipment and any other property of the Council must be returned.

FRAUD AND CORRUPTION

Culture of the Organisation

9. Although the Council believes that Members, employees and organisations associated with the Council will act with honesty and integrity it recognises that occasionally this will not be the case. The Council's culture is one of honesty and zero tolerance in respect of fraud and corruption.

10. Employees must make themselves aware of and comply with the following key documents which set out various standards of behaviour and procedures which must be adopted in addition to those mentioned in this Code:-
- Financial Regulations/Accounting Instructions;
 - Powers of Committees and Officers;
 - Information Management and Security policies, procedures and standards;
 - Standing Orders;
 - Staffnet Procurement Guidance
 - Anti-Fraud & Corruption Policy & Strategy
 - Employee Handbook and
 - Social Media Policy.
11. Employees must use public funds entrusted to them in a responsible and lawful manner and ensure that value for money is achieved. They must comply at all times with the Council's Financial Regulations, Contract Standing Orders and associated Accounting Instructions.
12. It is a criminal offence for employees to give or receive any gift, loan, fee, reward or advantage for doing, or not doing anything, or showing favour or disfavour to any person, company or contractor, with a corrupt intention. If an allegation is made it is for the employee to demonstrate that any rewards received have not been corruptly obtained.
13. Although there may be no corruptive intention in the act of giving or receiving of gifts, etc it is important to avoid any grounds for suspicion of corruption. For example, where contracts are being negotiated employees should not negotiate with a potential contractor, supplier or purchaser (of land for example) on a one -to- one basis. All steps in the contract negotiations should be recorded and in accordance with the Council's constitution and scheme of delegation. Standing Orders, Financial Regulations, the Procurement Guidance and the policies of the Council must always be followed; an adequate audit trail must be maintained.
14. The Council recognises that a key preventative measure in the fight against fraud and corruption is to take effective steps at the recruitment stage to establish the previous record of potential employees in terms of their propriety and integrity. Employees responsible for applying the Council's recruitment procedures should ensure that they are followed in respect of all appointments and that written references are obtained regarding known honesty and integrity. (See also paragraph 68).

Personal Interests

15. Any personal interests, financial or otherwise, must be registered (see paragraph 19) when they could reasonably be deemed to potentially conflict with any work undertaken by employees in the course of their duties. The Chief Executive and each Chief Officer will be responsible for ensuring that their personal interests are registered in accordance with this Code and that all of their employees are aware of the need to register personal interests. In certain circumstances even though a conflict of interest is not anticipated (e.g. acting as a School Governor, involvement with an organisation receiving grant aid from the Authority, involvement with an

organisation or pressure group which may seek to influence the Authority's policies) employees should register their interests.

16. Section 117 of the Local Government Act 1972 requires all employees to give written notice of any contract or proposed contract in which the Council is involved and in which the employee has a financial interest (either direct or indirect) as soon as the employee becomes aware of it. Failure to declare an interest is a criminal offence and may result in prosecution.
17. A direct financial interest arises where an employee or their partner, family member or close friend has a financial interest in a contract or proposed contract whether to their advantage or disadvantage, in which the Council is involved. An indirect financial interest may arise where an employee or their nominee or employee's partner holds securities or shares in a company, which exceed £5,000 or 1/100th of the nominal issued share capital of a company which has a direct financial interest, whichever is the lesser amount.
18. A non-financial interest may occur when an employee or their partner, family member or close friend has membership or association in a company, society, club or other body, trade union or voluntary body, or is employed by another person or company which has direct financial interests in any matter which is the subject of discussions/negotiations with the Council.
19. Details of interests must be made in writing and sent to the Monitoring Officer who will record it in a register and acknowledge receipt of the declaration. Employees should ensure that they receive an acknowledgement back from the Monitoring Officer. The declaration must be made as soon as the employee is aware of the interest and/or the contract or proposed contract to which the interest relates. All contracts or proposed contracts are covered by this requirement, including contracts for the regular supply of goods and services.
20. Employees with a financial or non-financial interest in any matter should not only declare that interest but also seek to distance themselves from involvement in that matter. Employees must be open and up front about their interest in all associated dealings. In particular, any such interest must be stated at meetings, whether Council meetings or other meetings, public or private. Notes taken at the time should be placed in the appropriate file concerning the interest(s) and how it has been handled.
21. Employees involved in the award or management of contracts shall declare in writing to their Chief Officer (or in the case of Chief Officers the Chief Executive) any association or friendship with any contractor on any part of the Council's select list of contractors and should take no part in the tender process without their written approval. Any employees engaged in the consideration or determination of any application for any contract, permission, grant, approval or consent must declare to the Chief Officer (or in the case of Chief Officers the Chief Executive) any association with any person or body who is an applicant in the field of work in which that employee is engaged.

22. A Chief Officer (or in the case of Chief Officers the Chief Executive) to whom any such interest, association or friendship is declared shall consider whether to take steps to ensure the employee concerned is not placed in a position where private interests and official duties may conflict.

Rules Governing Purchasing by Employees

23. Employees must follow Financial Regulations, Standing Orders, the Council's Purchasing Guide, Contract Guidance Manual (when appropriate) and Accounting Instructions whenever any goods or services are purchased.
24. Employees may not order, in the name of the Council, equipment or goods, whether with a discount or not, from official Council suppliers for their own personal use even if the cost is reimbursed in full to the Council.
25. Where appropriate, copies of the Procurement Guidance should be issued to those staff who are or become involved in purchasing supplies and services.

Separation of Roles during Tendering

26. Employees involved in the tendering process and dealing with contractors should understand the separation of client and contractor roles within the Council. Senior employees who have both client and contractor responsibilities must be aware of the need for accountability and openness.
27. Employees who are privy to confidential information in respect of tenders or costs for either internal or external contractors must not disclose that information to any unauthorised person or organisation or use it for any unauthorised purposes.
28. Employees should ensure that no special favour is shown to current or recent former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.
29. Employees must not use their position and knowledge of the Council to gain access to and provide information which puts a particular contractor or anyone else in a better position than any other contractor tendering to undertake work or to provide services or supplies.

Reporting a Concern

30. "Whistleblowing" by employees of the Council is fully supported and encouraged. Where concerns arise these should be brought to the attention of management at all times. In Appendix 1 of this Code a procedure is described for employees who wish to report serious concerns relating to any suspicions or allegations of fraud and corruption or any mal-practice or maladministration.

Investigation

31. Allegations and concerns relating to fraud or corruption will normally be investigated by the Head of Internal Audit and a report issued to the Chief Executive, the Monitoring Officer and the Director: Strategic Finance (s.151 Officer).
32. The Director: Strategic Finance ~~Chief Executive~~, after in consultation with the Monitoring Officer, will then decide whether there are sufficient grounds for the matter to be reported to the Police. The Chief Executive is also to be informed of any (potential) referrals. The Council will normally wish the Police to be made aware of, and investigate independently, offences where financial impropriety appears to have been discovered.
33. The Council's Disciplinary Procedures (Managing Performance Improvement Procedure) will be used where the outcome of an audit investigation indicates improper behaviour by an employee.

GIFTS, PRIZES HOSPITALITY AND SPONSORSHIP

34. Any offers of gifts, prizes hospitality or sponsorship should be recorded in the Council's Gifts & Hospitality Register held by each Chief Officer or, in the case of Chief Officers the Chief Executive. The register must include all offers of gifts, etc whether accepted or declined. Advice/permission should be sought from the Chief Officer before any gift, hospitality or sponsorship is accepted. (see paragraph 51 below) When in doubt the employee should always refuse such gifts.
35. An employee should not personally receive a gift, prize, hospitality or sponsorship that:
- could compromise their judgement
 - could appear to be a conflict of interest
 - could damage relationship with others; or
 - could indicate any favouritism or prejudice in relation to any particular person or group of people
34. • _____

- ~~35.~~36. When hospitality, prizes or gifts have to be declined, the person making the offer should be informed of the procedures and standards operating within the Council, in relation to gifts, prizes, hospitality and sponsorship.

Gifts (including bequests)

- ~~36.~~37. Gifts offered by persons who are providing, or seeking to provide, goods or services to the Council, or who are seeking decisions from the Council, should be refused and returned, as should gifts (other than those of a trivial nature e.g. calendars, diaries, desk sets) offered by those receiving services from the Council.
- ~~37.~~38. In all cases relating to the receipt of gifts it is wise to err on the side of caution: an obviously expensive gift must be tactfully declined or, if appropriate, donated to the Council for official use, and the Chief Officer or Chief Executive should be advised of the action taken. If a gift is simply delivered it must be returned to the donor or, if appropriate, be donated to the Council for official use, and the Chief

Officer or Chief Executive must be advised of the action taken. All such gifts must be registered in accordance with paragraph 51 of this Code.

~~38~~39. On occasions an employee may become a beneficiary of a Will of a service user; this may be the way a service user wishes to express gratitude for the service he or she has received.

~~39~~40. Those directorates/services which provide personal services to service users have written policies concerning the receipt of bequests by employees – such policies have been drawn up to protect the interests of both service users and members of staff. Staff should ensure that they have read and comply with such policies.

Hospitality

~~40~~41. Employees may only accept offers of hospitality if there is a genuine need to exchange information or represent the Council in the community. Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community within Gloucestershire and where the Council should be seen to be represented. All such hospitality must be properly authorised and recorded by Chief Officers or, in the case of Chief Officers the Chief Executive. Exceptions to this rule must be properly authorised and recorded by Chief Officers or the Chief Executive.

~~41~~42. Acceptance of hospitality through attendance at relevant conferences and courses is acceptable where the hospitality is corporate rather than personal, or where the Chief Officer (or Chief Executive in the case of Chief Officers) gives consent in advance and where it is clear that any purchasing decisions are not compromised.

~~42~~43. An offer of hospitality to individual employees calls for special caution particularly if the host is undertaking, or applying to do business with the County Council or hoping to obtain a decision from it. It is very important to avoid any suggestion of improper influence.

~~43~~44. A working lunch of modest standards to allow the parties to discuss business would normally be acceptable; this is a case where the hospitality is secondary to a specific working arrangement. On the other hand, it would not be acceptable conduct for an employee to accept such things as:-

- a holiday
- tickets for concerts, theatre or sporting events
- the use of a company flat or hotel suite
- expensive meals or entertainment

~~44~~.45. Hospitality must not be accepted unless the acceptance can be readily acknowledged in public or is similar to that which the Council would provide in the same circumstances.

~~45~~.46. There are occasions when an offer of hospitality of any kind must be declined e.g. when the person offering the hospitality has a current issue with the Council such as a tender under consideration or is involved in a contract dispute.

~~46~~.47. Offers of hospitality accepted or rejected must be registered by employees to their Chief Officer or, in the case of Chief Officers to the Chief Executive. The details to be registered must be in accordance with that shown in paragraph 51 of this Code.

Sponsorship

~~47~~.48. Where outside organisations, contractors or potential contractors wish or seek to sponsor a Council activity, the basic conventions concerning acceptance of gifts or hospitality apply.

~~48~~.49. Where the Council acts as a sponsor for an event or service, neither an employee or any partner or relative must benefit from such sponsorship without there being full disclosure to an appropriate manager of any such interest. Similarly, where the Council through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

Bribery Act 2010

~~49~~.50. The Bribery Act 2010 came into force in the UK on 1st July 2011. It amends and reforms the UK criminal law and provides a modern legal framework to combat bribery in the UK and internationally. Staff need to be aware of their obligations under this Act, which sets out the criminality of accepting and giving of bribes. This applies to both individual staff and the Council corporately.

~~50~~.51. The Bribery Act creates the following offences:

- Active bribery: promising or giving a financial or other advantage;
- Passive bribery: agreeing to receive or accepting a financial or other advantage;
- Bribery of foreign public officials; and
- The failure of commercial organisations to prevent bribery by an associated person (corporate offence).

The penalty under the Bribery Act is an unlimited fine and/or imprisonment up to a maximum of 10 years.

Full details of the Act can be found at: <http://www.legislation.gov.uk/ukpga/2010/23/contents>

REGISTER OF GIFTS AND HOSPITALITY

Last updated: 14th November 2013 (per Constitution Committee 5th February 2013)

~~54~~:52. A register will be maintained by every Chief Officer detailing all offers of gifts or hospitality made to employees in their department. The following information will be recorded, based on information reported by employees:-

- the person or body making the offer;
- the member of staff to whom the offer was made;
- the gift or hospitality offered;
- the circumstances in which the offer was made;
- the action taken by the member of staff concerned; and
- the action taken (if any) by the Chief Officer (or in the case of Chief Officers the Chief Executive).

A similar register will be maintained by the Chief Executive in relation to Chief Officers.

Where a suspected breach has been reported a formal investigation will be undertaken and recorded.

DISCLOSURE AND USE OF INFORMATION

~~52~~:53. The Council believes that, subject to the content of paragraphs 53 to 59 below, information should normally be disclosed unless it is in the public interest not to do so. If in doubt, comply with the council's Freedom of Information policy, procedures and authorisation process.

~~53~~:54. Many employees obtain information which has not been made public and/or is confidential. Employees may also have access to personal information about other employees or clients. This information must only be disclosed to a third party where there is a legal responsibility to provide it, or where the employee or client provides a written authority for the information to be provided.

~~54~~:55. The restrictions in paragraph 53 to 59 apply equally to information which an employee may obtain from their employment about a contractor, debtor or creditor of the Council.

~~55~~:56. No employee, unless specifically authorised by their Chief Officer to do so, may communicate to the public or press any information about the discussions or decisions of the County Council or any of its Boards following the exclusion of the public and press, with the exception of information which is required to be published by law.

~~56~~:57. As a general rule employees must not enter into any public correspondence or debate on a matter related to their official duties, or in respect of which they hold official information, unless this is done with the consent of their Chief Officer. Similar considerations exist covering the position of employees invited to participate in press interviews, radio or television programmes, etc., where the subject relates directly or indirectly to their work for the Council. Employees invited to take part in such programmes should discuss the position with their Chief Officer before replying to

the invitation. ~~{I'm not sure what this clause is meant to be achieving but it could be read as stopping most normal 'business as usual' activities, and thus may need revision}.~~

~~57~~.58. Employees must adhere to the Council's published rules and requirements relating to personal and/or sensitive information, as covered by current Data Protection legislation. In particular, information must not be disclosed to unauthorised people or organisations.

~~58~~.59. Employees must not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way.

~~59~~.60. Employees must make themselves aware of and comply with published Information Management and Security policies, procedures and standards relating to the protection of information and secure use of ICT systems, <http://staffnet/13629>. A serious breach of the rules is likely to lead to disciplinary action.

POLITICAL NEUTRALITY

~~60~~.61. Employees must serve all Councillors and not just those of a single or controlling group, and must ensure that the individual rights of all Councillors are respected.

~~61~~.62. Employees of the County Council are not eligible to stand for office as an elected member of the County Council. Employees, whether or not politically restricted under the terms of the Local Government and Housing Act 1989, must follow every policy of the Council and must not allow their own personal or political opinions to interfere with their work.

Politically Sensitive Posts

~~62~~.63. The Local Government and Housing Act 1989 has the effect of imposing restrictions on public political activity by certain staff of local authorities in politically sensitive posts. Political assistants employed pursuant to Section 9, Local Government and Housing Act 1989 are not wholly bound by these restrictions.

~~63~~.64. The effect of the inclusion of a post in a list of sensitive posts is that the postholder will be prevented from becoming a member of a local authority (except a Town or Parish Council), or a member of the House of Commons or the European Parliament. In addition, regulations prevent them from:-

- holding office in a political party
- canvassing at elections
- speaking or writing publicly on matters on party political lines

RELATIONSHIPS

Councillors

~~64~~.65. Mutual respect between employees and Councillors is essential to good local government. However, close personal familiarity can possibly damage working relationships and cause embarrassment.

Contractors

~~65~~.66. All relationships of a business or private nature with external contractors, or potential contractors, must be made known to the employee's immediate line manager. Orders and contracts must be awarded on merit, through fair competition, and no special favour should be shown to businesses run by, for example, friends, partners or relatives. No part of the local community should be discriminated against.

~~66~~.67. Employees who engage or supervise contractors or have any other official relationship with contractors and have previously had, or currently have, a relationship in a private or domestic capacity with such contractors, must declare that relationship to their Chief Officer, or in the case of Chief Officers to the Chief Executive.

~~67~~.68. No employee shall purchase for private purposes goods or services from a firm which has dealings with the Council where the firm is offering preferential terms to the individual employee (directly or indirectly) because of a contractual, business or other relationship with the Council. This rule equally applies to the ordering of extra supplies against a contract where the intention is to use the goods privately and pay for them at the Authority's contract price, particularly if the employee is aware that the price is not available to the ordinary customer. It would also apply to the use of services of a contractor with whom employees have official contacts as part of their employment with the Council. It also precludes employees from using, for private purposes, any special trading cards which the Council may hold for council business. It does not, however, preclude employees benefiting from general discounts offered by suppliers to all Council employees or made available by the Council or trade unions on behalf of staff generally.

APPOINTMENTS AND OTHER EMPLOYMENT MATTERS

~~68~~.69. It is contrary to the Council's HR policies for an employee to make an appointment/engagement which is based on anything other than the ability of the individual to undertake the duties of the post. Employees must not be involved in an appointment/engagement where they are related to an applicant, or have any personal or business relationship outside work with them.

~~69~~.70. Employees must not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner or close personal friend.

~~70~~.71. Employees of the Council shall inform their Chief Officer or, in the case of Chief Officers the Chief Executive, of any relationship known to them to exist between themselves and a candidate for an appointment/engagement in which they are directly involved. If a candidate deliberately omits to disclose a relationship they will be disqualified. If the omission is discovered after appointment or engagement they shall be liable to dismissal.

~~71~~.72. Employees involved in appointments/engagements must, where practicable, ensure that references are obtained from the current and previous employer of the candidate to whom they wish to formally offer a post. Ideally both referees should be senior persons, one from the candidate's present employer and the other from their previous employer.

~~72~~.73. In the case of applicants leaving full-time education or not having worked since doing so, the Head of School, College, University etc. should be named as one of the referees.

UNDERTAKING ADDITIONAL WORK OUTSIDE OF THE COUNCIL

~~73~~.74. Full-time employees shall devote their whole time service to the work of the Council, and shall not engage in any other business, including self-employment, or take up any other additional appointment without the express written prior consent of their Chief Officer, and in the case of Chief Officers, the Chief Executive. The Chief Officer or the Chief Executive reserves the right to withdraw such consent at any time.

~~74~~.75. All prospective employees shall, prior to appointment, provide details on the Council's standard application form of any other employment(s) in which they are engaged, giving full details of the employer, job title and the hours worked per week in each job. (This information will be examined to see whether any other existing employment(s) is in conflict with the employment being sought with the Council and whether, in overall terms, the total hours of all the employments exceed 48 per week - as per the Working Time Regulations 1998.) Also, existing part-time employees must declare any other employment to the Council in order that the latter can ensure that there is no conflict of interest between such employment and that there is adherence to the Working Time Regulations.

~~75~~.76. Employees should avoid situations where a conflict between work and personal interests may arise.

~~76~~.77. Undertaking unpaid activities outside Council employment may, on occasions, be detrimental to the Council's interests. Employees should be mindful of any potential conflict of interests in such situations.

~~77~~.78. No personal business activity or outside work of any sort may be undertaken by an employee during their normal working hours for the Council.

Consultancy, Lecturing, Fee Paying Work

~~78~~.79. Where a request is received for any employee to make a presentation, speak at a seminar or lecture on a course, within their normal field of work and during their normal working hours, the work will be undertaken on behalf of the Council and any fee will be treated as income for the Council.

~~79~~.80. Where an employee is approached to undertake fee paying work the Council has determined that the fee is to be treated as income for the employee if all the

work, including preparation, is undertaken outside normal work hours. In the case of activities which are prepared and/or take place partly during normal working hours, the Council has agreed that half the fee is to be treated as income for the employee and the remainder paid to the Council. All consultancy, lecturing and other fee paying work must be approved by the employee's Chief Officer or, in the case of Chief Officers the Chief Executive.

Intellectual Property

~~80:~~81. Intellectual property is a generic term that includes inventions, creative writings and drawings. If these items are created as part of an employee's normal course of employment then, as a general rule, they belong to the Council.

ARREST OR CONVICTION ON CIVIL OR CRIMINAL CHARGES

~~81:~~82. You must, as soon as practicable inform your line manager, at each stage, if you are arrested, charged, refused bail, required to attend court, convicted or sentenced for any criminal offence. This does not apply to traffic offences unless the possible penalty includes imprisonment or disqualification from driving or involves an official vehicle. Failure to inform will be considered an act of gross misconduct.

MEMBERSHIP OF CLUBS, SOCIETIES AND OTHER ORGANISATIONS WHICH ARE NOT OPEN TO THE PUBLIC AND/OR WHICH HAVE SECRECY ABOUT RULES, MEMBERSHIP, ETC.

~~82:~~83. The intention of this Code and procedures is to ensure transparency and openness and that no reasonable person can question the integrity and motives in connection with your employment with the Council.

~~83:~~84. All employees must declare membership of any organisation which is not open to the public, where there is a commitment of allegiance, and /or which has secrecy about rules, membership or conduct. This declaration needs to be made through completing a form held by each Chief Officer

CONFLICT OF INTEREST

~~84:~~85. Where employees belong to any club, society, charity or similar body and any person within it or the club, society or similar body itself may benefit from a decision or action employees may take in their work with the Council, then they must register their interest and discuss what action should be taken with their line manager.

EQUALITY ISSUES

~~85:~~86. All employees must comply with the Council's policies on equal opportunities in employment and with those relating to service delivery.

HEALTH AND SAFETY ISSUES

~~86~~.87. Employees should ensure they read and follow all health and safety policies and arrangements relating to their employment.

CONFIDENTIAL REPORTING PROCEDURE FOR EMPLOYEES (WHISTLE-BLOWING)

~~87~~.88. Appendix 1 of this Code provides procedures for employees to follow who wish to report, in strict confidence, their serious concerns about any aspect of the Council's work or the behaviour or standard of conduct of other employees or anyone associated with the work and services provided by the Council.

BREACHES OF THE CODE OF CONDUCT

~~88~~.89. Any suspected breach of this Code must be:-

- (a) immediately reported to the appropriate Chief Officer and to the Chief Executive or, in the case of Chief Officers, to the Chief Executive,
OR
- (b) be reported through the confidential reporting procedure for employees, detailed at Appendix 1.

~~89~~.90. Where a suspected breach has been reported, a formal investigation into that suspected breach will be undertaken.

~~90~~.91. Failure to comply with any of the standards detailed in this Code may result in formal disciplinary action, under the Managing Performance Improvement Procedure, including dismissal.

APPENDIX 1

CONFIDENTIAL REPORTING PROCEDURE FOR EMPLOYEES (WHISTLE BLOWING)

1. Employees are often the first to realise that there may be something wrong within the Council. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Council. They may also fear harassment or victimisation and it may be easier, therefore, to ignore the concern rather than report what may just be a suspicion of malpractice.
2. The Council is committed to the highest standards of openness, probity and accountability. It expects employees, and others that it deals with, who have serious concerns about any aspect of the Council's work, to come forward and voice those concerns. The phrase 'whistle-blowing' in this procedure refers to the disclosure internally or externally by employees of malpractice, as well as illegal acts or omissions at work.
3. This Procedure makes it clear that employees can report, in a confidential manner, their concerns without fear of victimisation, subsequent discrimination or disadvantage and is intended to encourage and enable serious concerns to be

raised with the Council, rather than overlooking a problem or 'blowing the whistle' outside.

AIMS AND SCOPE OF THIS PROCEDURE

4. This Procedure aims to:
 - encourage employees to feel confident in raising serious concerns in those cases where they do not wish to use the normal reporting routes within their service area
 - provide alternative avenues for raising concerns
 - ensure that responses to concerns are made
 - to reassure employees that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have raised a concern in the public interest

5. There are existing procedures in place to enable employees to lodge a grievance relating to their own employment. This Procedure is intended to cover concerns that fall outside the scope of other procedures and include:
 - conduct which is an offence or a breach of law
 - disclosures related to miscarriages of justice
 - health and safety risks, including risks to the public as well as other employees (where the concerns raised have not been addressed through normal departmental procedures)
 - damage to the environment
 - the unauthorised use of public funds including fraud and corruption
 - sexual or physical abuse
 - other unethical or unprofessional conduct
 - notification of any suspicions of price-fixing cartels providing services/goods to the Council

6. The Council fully understands that employees who are members of a trade union recognised by the Council may, in the first instance, wish to seek advice and guidance from their union on the application of this Procedure (see paragraph 23 of this Appendix).

7. Any serious concerns that employees have about any aspect of service provision, or the conduct of employees or members of the Council or others acting on behalf of the Council, can be reported under this Procedure. This may be about something that:
 - makes an employee feel uncomfortable in terms of apparent non-adherence to known standards
 - appears to be contrary to the requirements of the Council's Standing Orders and Code of Conduct
 - falls below established standards of practice
 - may amount to improper conduct
 - appears to be an attempt to mislead

SAFEGUARDS

Harassment or Victimisation

8. The Council recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from the person(s) who is the subject of the complaint. However, if employees believe that what they raise as a concern to be the truth and in the public interest they should be confident that they are fulfilling their duty to their employer and those for whom they are providing a service.
9. | The Council will not tolerate any form of sexual, racial or general harassment or victimisation and will take appropriate action to protect employees, when they raise a concern **in the public interest, from suffering a detriment (including bullying or harassment) either from the employer or from co-workers.**
10. Any investigation into allegations of potential malpractice will be dealt with separately to any grievance, disciplinary or redundancy procedure concerning an employee. Equally, any investigation will not be influenced by any such procedures involving an employee.

CONFIDENTIALITY

11. All concerns will be treated in confidence and every effort will be made to protect an employee's identity if that is their wish. However this cannot be guaranteed if say following an investigation a case is taken to Court, where the employee may need to be called as a witness.

ANONYMOUS ALLEGATIONS

12. In order to ensure that employees receive protection of the Public Interest Disclosure Act 1998 employees should put their name to their allegation. Concerns expressed anonymously are sometimes less credible. Anonymous concerns and allegations, whether made to the Monitoring Officer or Head of Internal Audit, will therefore be investigated at the discretion of the Council.
13. In exercising this discretion the factors to be taken into account would include:
 - the seriousness of the issues raised
 - the credibility of the concern; and
 - the likelihood of confirming the allegation from attributable sources' factual evidence.

UNTRUE ALLEGATIONS

14. If an employee makes an allegation in the public interest, but it is not confirmed by the investigation, no action will be taken against them. If, however, an allegation is

frivolous, malicious or for personal gain, disciplinary action may be taken against them.

HOW TO RAISE A CONCERN

15. Employees who wish to raise a serious concern should do so verbally or in writing (marked 'Confidential') to the:

Monitoring Officer
Gloucestershire County Council
Shire Hall
Gloucester GL1 2TZ
Telephone: (01452) 328472

The Monitoring Officer will refer all concerns in relation to possible financial impropriety to the Director: Strategic Finance and/or the Head of Internal Audit.

16. Alternatively employees may wish to use the Council's 24 hour "whistleblowing" answerphone service on Gloucester 01452 - 427052 to report any concern relating to possible fraud, corruption, conduct or mal-practice/administration.

17. Employees who wish to make a written statement/report are invited to set out:

- the background and history of the concern
- relevant dates, person involved
- details of supporting evidence

18. Although employees are not expected to prove an allegation they will need to demonstrate that the disclosure is in the public interest.

HOW THE COUNCIL WILL RESPOND

19. The Council will respond to such concerns and, where appropriate, the matters raised may be:

- investigated by management, Internal Audit, or through the disciplinary process
- referred to the Police
- referred to the District External Auditor
- the subject of an independent inquiry

20. In order to protect individuals and those involved in the concern, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which the Council will take into account is public interest; however, the Council has a zero tolerance attitude to any fraudulent activity. Concerns or allegations which fall within the scope of specific procedures (for example, child protection) will normally be referred for consideration under those procedures.

21. Within 10 working days of a concern being raised, the Monitoring Officer will write to the employee concerned at their private address:-
- acknowledging that the concern has been received
 - indicating how s/he proposes to deal with the matter
 - telling the employee whether any initial enquiries have been made
 - telling the employee whether further investigations will take place and, if not, why not
22. If the matter is subject to further investigation the employee will be informed of any progress and proposed timescale for the investigation. The amount of contact between the officers considering the issues and the employee raising the concern will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the Council will seek further information from the employee raising the concern.
23. A representative of a trade union recognised by the Council or work place colleague may accompany an employee during any stage of an investigation conducted under this Procedure.
24. The Council will take steps to minimise any difficulties which may be experienced as a result of raising a concern. For instance, where an employee is required to give evidence in criminal or disciplinary proceedings the Council will arrange for them to receive advice about the procedures involved.
25. The Council accepts that employees need to be assured that matters of concern have been properly addressed and, therefore, subject to legal constraints, employees will be informed of the outcome of any investigation.

THE RESPONSIBLE OFFICER

26. The Monitoring Officer has overall responsibility for the maintenance and operation of this Procedure. S/he will ensure that a record of concerns raised and the outcomes recorded is maintained in a form that does not breach confidentiality.

FURTHER ACTION

27. This Procedure is intended to assist employees who wish to raise concerns within the Council. The Council hopes employees will be satisfied with any action taken. However, if they are not, and they feel it is right to take the matter outside the Council, the following organisations are possible contact points:

- Health & Safety Executive
- Environment Agency
- District Audit/Audit Commission/External Auditors
- Financial Services Authority
- DSS Benefits/Contributions Agencies
- Serious Fraud Office
- Trade Union

- Inland Revenue
- Relevant Voluntary Organisation
- Charity Commission
- Police
- Customs & Excise
- 'Public Concern at Work' (tel: 0207 404 6609)

28. If employees do decide to take the matter outside the Council, they must ensure that they do not disclose to a third party any Council confidential information. If employees are in any doubt, they are strongly advised to seek the confidential advice of the Monitoring Officer before taking any action to ensure that they are not putting themselves in a vulnerable position.

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**CONSTITUTION COMMITTEE
10 DECEMBER 2014
CHANGES TO THE CONSTITUTION BY THE MONITORING OFFICER**

Report of the Monitoring Officer

1. **Purpose of Report**

The Committee is asked to note the changes to the Constitution made by the Monitoring Officer following the formation of the Gloucestershire Economic Growth Joint Committee.

2. **Recommendations**

IT IS RECOMMENDED THAT the amendments to the Constitution set out in the Appendix are noted.

3. **Background**

3.1 Article 11.02.3 of the Articles of the Constitution enables the Cabinet to establish joint arrangements with other Local Authorities.

3.2 Article 14.02.1 of the Articles of the Constitution confirms the Monitoring Officer may make changes to any part of the Constitution to give effect to any decision of the full Council or Cabinet. The Monitoring Officer is required to report to this Committee to note the changes made to the Constitution.

4. **Monitoring Officer's changes to the Constitution**

The Cabinet established the Gloucestershire Economic Growth Joint Committee with all Gloucestershire Authorities on 4 September 2014. To give effect to this decision, the Committee is asked to note the Monitoring Officer's amendments set out in the Appendix to incorporate the terms of reference of the Joint Committee to the Constitution.

Jane Burns

Director: Strategy and Challenge

Monitoring Officer

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Appendix

3.13 GLOUCESTERSHIRE ECONOMIC GROWTH JOINT COMMITTEE

1. Pursuant to a partnership arrangements between Cheltenham Borough Council, Cotswold District Council, Gloucester City Council, Stroud District Council and Tewkesbury Borough Council, Forest of Dean District Council and Gloucestershire County Council, the Gloucestershire Economic Growth Joint Committee was formed under Sections 101, 102 of the Local Government Act 1972 and under Part 1A Chapter 2 Section 9EB of the Local Government Act 2000 and pursuant to the Local Authorities (Arrangements for the Discharge of Functions (England) Regulations 2012
2. The functions of the Gloucestershire Economic Growth Joint Committee are as follows:
 - 2.1 Each of the Councils empowers the Joint Committee to discharge on their behalf the power to do anything it considers likely to achieve the promotion or improvement of the economic wellbeing of the area of Gloucestershire together with such additional functions as the respective constituent Councils may determine from time to time.
 - 2.2 To facilitate and enable collaboration between the local authorities on economic development and associated activities.
 - 2.3 In conjunction with the GFirst LEP Board, to formulate and agree the Gloucestershire Strategic Economic Plan GFirst LEP Plan (and Implementation Plans), the GFirst LEP EU Structural and Investment Fund Strategy, and other plans and strategies related to economic growth, and to work jointly to ensure their delivery.
 - 2.4 To lobby and carry out other activities that help achieve the promotion or improvement of the economic wellbeing of the area of Gloucestershire.
 - 2.5 To promote the vision contained in the Gloucestershire Strategic Economic Plan and to make recommendations to the GFirst LEP Board on any other matter relating to the economic wellbeing of Gloucestershire.
 - 2.6 To have insight and the opportunity to review the GFirst LEP Board's activities and consider any further measures necessary to strengthen the relationship with the GFirst LEP Board.
 - 2.7 To seek the allocation of resources to achieve the promotion or improvement of the economic wellbeing of the area of Gloucestershire.
 - 2.8 To ensure a co-ordinated approach to and liaise with the:-

- Local Transport Board
- County Strategic Planning and Infrastructure Group
- LEP Investment Panel
- EU Structural and Investment Fund Board
- Business Rates Pool Arrangements

and other relevant Groups/Boards as the respective constituent Councils may determine from time to time.

- 2.9 To provide political and democratic accountability by:
- Monitoring the delivery of each priority, plan, project or programme included in the SEP and by ensuring that action is taken to review and prepare revised action plans as necessary
 - Monitoring the annual SEP budget
 - Reviewing the annual SEP Report of GFirst LEP
 - Advising and making recommendations to the Accountable Body.

3. The membership of the committee comprises

3.1 one elected member from each partner authority on a 'one member, one vote' basis. Such member to be the leader (or other appointed executive member where executive arrangements are in place) from each partner authority.

3.2 the Chair and one other Board member of GFirst LEP or Substitute Board Members notified in advance (non-voting).

4. Each Committee member shall remain in office until removed or replaced by his or her appointing local authority, or in case of an executive member, until he or she ceases to be a member of the Executive of the appointing local authority.

5. Where a substitute member takes the place of a committee member who is an executive member of the appointing partner authority, the substitute must also be a member of the executive. The substitute member shall have the same rights of speaking and voting at meetings as the member for whom the substitution is made.

6. The Committee will meet formally in public session on a quarterly basis with informal meetings, workshops and visits arranged as and when required.

7. The Committee may appoint working groups, comprising Gloucestershire Economic Growth Joint Committee members; officers from any of the partner authorities to consider specific matters and to report back to the committee with recommendations or any sub-committee with recommendations. Each partner authority may also send any of its

officers to committee meetings to support its members or anyone invited to observe at meetings.

8. A Chairman and Vice-Chairman will be elected at the first committee meeting and annually thereafter at the Annual General Meeting.
9. The quorum for a meeting shall be four voting members. If quorum is not reached within 30 minutes of the start of the meeting, (or if quorum ceases to be present during a meeting), the meeting shall be adjourned to the same time and venue five business days later or to such other date, time and venue as the Chairman (or other person who is chairing the meeting) shall determine

Changes to Gloucestershire County Council Constitution by the Monitoring Officer

In the exercise of my powers set out in 14.02.1(2) of the Council's Constitution, I make the following amendments to the Council's Constitution:

1. In the Particular Delegations to Commons and Rights of Way Committee under Part 3 Section 3.7 of the Constitution:-

Table 3.9 'the duties of the Commons and Rights of Way Committee' at point 2, shall be amended to read:

"Power to register variation of rights of common and to make amendments to the register of common land and town and village greens of any identified anomalies."

- Regulation 29 of the Commons Registration (General) Regulations 1966 (S.I. 1966/1471)(a). Section 19(2)(a) and Paragraphs 6-9 of Schedule 2 of the Commons Act 2006 implemented by the Commons Registration (England) Regulations 2014 (S.I. 2014/3038)



Jane Burns
Monitoring Officer
Gloucestershire County Council
1 Dec 2014

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