

CONSTITUTION COMMITTEE

Minutes of the Constitution Committee held at Shire Hall., Gloucester on Monday, 11 June 2018 at 3pm.

Cllr Mark Hawthorne MBE	Cllr Ray Theodoulou
Cllr Colin Hay	Cllr Lesley Williams MBE
Cllr Paul Hodgkinson	Cllr Roger Wilson
Cllr John Payne	Cllr Will Windsor-Clive
Cllr Lynden Stowe	

Jane Burns, Director of Strategy and Challenge, and Monitoring Officer

Gillian Parkinson, Head of Legal Services

Simon Harper, Head of Democratic Services

Apologies for absence were received from Cllr Nigel Moor and Cllr Rachel Smith

60. ELECTION OF CHAIR

***RESOLVED** that Cllr Mark Hawthorne be elected to the position of Chair of the Constitution Committee for the 2018-19 Civic Year.*

61. ELECTION OF VICE-CHAIR

Cllr Colin Hay and Cllr Ray Theodoulou were proposed for the position of Vice-Chair of the Constitution Committee.

On being put to the vote, it was

***RESOLVED** that Cllr Ray Theodoulou be elected to the position of Vice-Chair of the Constitution Committee for the 2018-19 Civic Year.*

62. MINUTES

The minutes of the meeting held on 12 March 2018 were confirmed and signed as a correct record.

63. PUBLIC QUESTIONS

No public questions had been received.

64. MEMBERS' QUESTIONS

No member questions had been received.

65. AMENDMENTS TO MOTIONS

At the full Council meeting on 16 May 2018, Cllr Colin Hay had requested that the Constitution Committee to consider the procedural standing orders relating to amendments.

Cllr Hay explained that he had made the request because he was concerned at the way in which motion 812 relating to Police funding had been amended. He recognised that it was the Chair's judgement on the validity of an amendment but he believed that in this particular case a completely new proposal had been put forward. He said that the amendment had changed the intent of the motion to such an extent that the original proposer and seconder were unable to support it. He noted that a member could only withdraw a motion they had moved with the consent of full Council and the seconder.

Another member referred to motion 809 relating to Gloucestershire roads at the same meeting of full Council . He stated that the wording of the whole of the original motion had been lost as a result of an amendment put forward. He believed that it was against the spirit of an amendment if a motion was changed to that extent.

The Chair noted that the subject matter of each motion had not been changed and the purpose of the amendments was to achieve a similar outcome. He said that if motions were critical of the controlling political group then it was unreasonable not to expect that group to put forward amendments to allow the views of its members to be expressed.

Some members questioned what alternative there was to the current arrangements. They said that if the controlling group simply voted against a motion then should it put forward a new proposal to be voted on at the next meeting? They believed that if a motion was political then it was likely that the controlling group would wish to propose an amendment.

Another member stated that the purpose of a motion was to bring a particular issue to the attention of the Council and to allow a debate on that matter. He said that an amendment should not detract from the overall theme of the original motion. He felt that the amendments made to the Police funding and Gloucestershire roads motions at the last full Council meeting did not reflect the original intent of the motions.

It was recognised that more could be done to share amendments ahead of meetings and it was hoped that this could be facilitated through Group Leaders and the Political Research Assistants. There would inevitably still be some occasions when it would not be possible to reach agreement. The increasing length of motions was a growing concern and it was hoped that steps could be taken to make them shorter and more focused. Political comments could be made as part of the debate in the Council Chamber..

On a wider point, the Chair agreed that there was some merit in looking at the content of the Council agenda and he requested that this be included as an item for consideration at the next meeting of the committee.

66. CHANGES TO THE EMPLOYEE CODE OF CONDUCT

Consideration was given to a report relating to changes to the Employee Code of Conduct. Jane Burns, the Monitoring Officer, explained that she had made a commitment to review the code on a regular basis. She advised that the code would be promoted to ensure that all staff had appropriate guidance on how the Council and the public expected them to behave.

Members were anxious that, whenever possible, staff wore their official identity badge when they were undertaking Council duties. They requested that the wording of paragraph 6 of the code be strengthened.

Referring to paragraph 81, they asked for more information on the circumstances when a member of staff might be undertaking fee paying work partly during normal working hours.

RESOLVED TO RECOMMEND TO THE COUNCIL that the revised Employee of Conduct be approved subject to:

- a) *Paragraph 6 – Amending the second sentence to read ‘Staff are **expected** to wear their official Gloucestershire County Council identity badge on Council premises and when on official business out of the office.’*

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

- b) Paragraph 81 – Requesting the Monitoring Officer to seek further information from Human Resources relating to the circumstances in which a member of staff undertakes fee paying work partly during normal working hours.*

67. MONITORING OFFICER CHANGES TO THE CONSTITUTION

Jane Burns, the Monitoring Officer, explained that the Constitution had been revised to reflect the request at the committee meeting held on 12 March 2018 for gender neutral language. She noted that this approach was being followed in the way that members were referred to in Council papers and documents. She asked that members let her know if they were aware of any examples where this was not the case.

RESOLVED TO RECOMMEND THAT THE COUNCIL ratify the changes to Constitution, relating to the use of gender neutral language, made by the Monitoring Officer under delegated powers.

The meeting ended at 3.50pm

CHAIR