

CONSTITUTION AND ETHICS COMMITTEE



Tuesday, 14 November 2023

Democratic and Members' Services
Emma Duncan
Service Director: Legal and Governance

14:00

New Shire Hall
Alconbury Weald
Huntingdon
PE28 4YE

Red Kite Room

New Shire Hall, Alconbury Weald, Huntingdon, PE28 4YE

AGENDA

Open to Public and Press

CONSTITUTIONAL MATTERS

1 Apologies for Absence and Declarations of Interest

*Guidance on declaring interests is available at
<http://tinyurl.com/ccc-conduct-code>*

2 Minutes - 13 September 2023

3 - 8

DECISIONS

3 Annual Budget Meeting – Business Plan Debate

9 - 38

**4 Cambridgeshire and Peterborough Health and Wellbeing Board –
Revised Terms of Reference**

39 - 50

**5 Mitigating the Risks of Intimidation and Abusive Behaviours
Towards Members and Officers**

51 - 60

The County Council is committed to open government and members of the public are welcome to attend Committee meetings. It supports the principle of transparency and encourages filming, recording and taking photographs at meetings that are open to the public. It also welcomes the use of social networking and micro-blogging websites (such as Twitter and Facebook) to communicate with people about what is happening, as it happens. These arrangements operate in accordance with a protocol agreed by the Chair of the Council and political Group Leaders which can be accessed via the following link or made available on request: [Filming protocol hyperlink](#)

Public speaking on the agenda items above is encouraged. Speakers must register their intention to speak by contacting [Democratic Services](#) no later than 12.00 noon three working days before the meeting. Full details of arrangements for public speaking are set out in Part 4, Part 4.4 of the Council's Constitution: [Procedure Rules hyperlink](#)

The Council does not guarantee the provision of car parking on the New Shire Hall site. Information on travel options is available at: [Travel to New Shire Hall hyperlink](#)

Meetings are streamed to the Council's website: [Council meetings Live Web Stream hyperlink](#)

The Constitution and Ethics Committee comprises the following members:

Councillor Sebastian Kindersley (Vice-Chair) Councillor David Ambrose Smith Councillor Gerri Bird Councillor Lorna Dupre Councillor John Gowing Councillor Mac McGuire Councillor Kevin Reynolds Councillor Tom Sanderson and Councillor Graham Wilson

| | |
|------------------|--------------------------------------|
| Clerk Name: | Nick Mills |
| Clerk Telephone: | |
| Clerk Email: | Nicholas.Mills@cambridgeshire.gov.uk |



Constitution and Ethics Committee Minutes

Date: Wednesday 20 September 2023

Time: 2:00pm – 2:45pm

Venue: New Shire Hall, Alconbury Weald

Present: Councillors Sebastian Kindersley (Vice-Chair), David Ambrose Smith, Piers Coutts, Mark Goldsack, John Gowing, Elisa Meschini, Kevin Reynolds, Simone Taylor and Graham Wilson

43. Apologies for Absence and Declarations of Interest

Apologies for absence were received from Councillor Gerri Bird (substituted by Councillor Meschini), Councillor Lorna Dupré (substituted by Councillor Coutts), Councillor Mac McGuire (substituted by Councillor Goldsack) and Councillor Tom Sanderson (substituted by Councillor Taylor).

There were no declarations of interest.

44. Minutes – 20 June 2023

The minutes of the meeting held on 20 June 2023 were agreed as a correct record and were signed by the Vice-Chair.

45. Annual Review of the Constitution

The Service Director of Legal and Governance presented the annual review of the constitution to the committee, which recommended several changes to the constitution, as set out in sections 2.2 to 2.16 of the report, and proposed the development of a Social Media Protocol for Councillors and Co-opted Members. An in-depth review of the constitution would be carried out over the forthcoming year, for which it was proposed that the committee establish a cross-party Constitution Working Group to support the process.

While discussing the report, Members:

- Noted that the proposed amendments to the Media Protocol attached at Appendix 1 to the report did not include the removal of references to specific social media channels, as had been proposed separately in the report, and it was confirmed that the references would be removed when the proposed changes were presented to Full Council.

- Sought clarification on whether the Council would financially support members or officers who sought external legal advice on an issue of libel. Members were informed that although the Council had insurance to cover issues of libel and defamation to individuals performing their roles as part of the Council, it was more common for local authorities to take steps to prevent publication through injunctions, due to the significant cost of libel or defamation proceedings. If a member or officer sought to proceed with a libel proceeding individually, any financial support would require approval from members, due to the high cost and the fact it would usually only be for one person.
- Clarified that nominations to the Constitution Working Group could include members who were substitutes of the committee or who were not on the committee at all. It was agreed to nominate Councillors Ambrose Smith, Bulat, Kindersley and Sanderson to the Constitution Working Group.

It was resolved unanimously to:

- a) Recommend the following changes to the Constitution, as set out in Section 2 of the report, to Full Council:
 - (i) Clarification on the consultation process for decisions delegated to officers.
 - (ii) Additional provision for local members participating in committee meetings.
 - (iii) Restrictions on public questions or petitions that have been put in the past six months.
 - (iv) Removal of references to named social media companies.
 - (v) Amendments to the Terms of Reference for the Assets and Procurement Committee.
- b) Changes to the media protocol.
- c) Agree to the development of a Social Media Protocol for the Council; and
- d) Establish and appoint Councillors Ambrose Smith, Bulat, Kindersley and Sanderson to a Constitution Working Group, as set out in paragraphs 2.20-2.23 of the report.

46. Governance Review - Implementation of Recommendations

The Committee received a report on the implementation of recommendations from a review of the Council's committee system that had been carried out by the Centre for Governance and Scrutiny (CfGS), following previous consideration of several initial recommendations that were subsequently approved by Full Council in July 2023. The

report included an update on arrangements for member and officer training, sought the Committee's feedback on the management of a reinstated Members' Seminar programme, and proposed a review of the Member/Officer Protocol and Members' Code of Conduct in the constitution. A revised process for Spokes and Chair/Vice-Chair meetings was proposed, which would include a review of current internal advisory groups and panels. The report also suggested that the transfer of any social care decision-making to the Communities, Social Mobility and Inclusion Committee be kept under review, and it asked the committee to request the Chair of the Adults and Health Committee to hold health scrutiny meetings on the reserve dates for the Adults and Health Committee.

While discussing the report, Members:

- Observed that the draft terms of reference for Spokes meetings referred to specific political groups, rather than generic terms, such as administration or opposition. Acknowledging that such documents should be apolitical by nature, as was also the case with the constitution, it was confirmed that the references to political groups would be removed.
- Clarified that meetings involving all four Spokes would continue to be held jointly when it was possible and agreed to do so, particularly when they would be asked for input on matters that would proceed to the committee for approval.
- Suggested that improvements had already been made to the agenda management of the Adults and Health Committee, and that it was therefore not necessary to use the committee's reserve dates for health scrutiny meetings, as had been recommended in the CfGS report.
- Considered how the format of the Members' Seminar programme could be made as convenient and accessible as possible, although it was recognised that it would not be possible to accommodate the varying schedules of all members. Suggesting that sessions around the lunch period in the middle of the day were likely to attract the highest attendance, members agreed that virtual meetings were less time consuming, cheaper, more environmentally sustainable, and allowed recordings to be made for those members who were unable to attend, notwithstanding meetings that involved external speakers which could not always be recorded. However, it was suggested that people could grow weary of virtual meetings and that occasional seminars could be held in person. Members requested that attendance of seminars be tracked so that periodic reviews could establish the success of both formats, and also requested a training session for members on how to make the best use of Teams to improve engagement in such sessions.
- Paid tribute to the extensive induction programme that was provided to new councillors, but noted that it covered a wide range of issues and suggested that periodic refresher training sessions could prove beneficial.

It was resolved to:

- a) Note the arrangements for Member and officer training set out in Sections 2.2.1 and 2.2.2 of the report;

- b) Ask the Constitution Working Group to review the Member/Officer Protocol and Members' Code of Conduct before being presented to the full committee for consideration;
- c) Agree the Terms of Reference attached at Appendix 2 for Spokes meetings;
- d) Agree the arrangements for Chair/Vice-Chair briefing meetings at Section 2.3.3 of the report;
- e) Advise officers on how best to manage the reinstatement of the Members' Seminar programme;
- f) Ask Spokes to review the advisory groups and panels relating to their area and recommend to the relevant policy and service committee whether they should continue;
- g) Ask Spokes to consider the actions relating to Recommendation 4 set out in Section 2 of the report;
- h) Keep under review what aspects of social care decision-making can be moved to Communities, Social Mobility and Inclusion Committee; and
- i) Not request the Chair of Adults and Health Committee hold health scrutiny meetings on the reserve dates for Adults and Health Committee.

47. A Review of the Complaints Received under the Members' Code of Conduct – September 2023

The committee received a report on the number and nature of complaints received about Members under the Code of Conduct from 20 June 2023 to 31 August 2023, which also included details of other complaints that were already in process or had been concluded. Twenty-six new complaints had been received in relation to one incident, and along with two previously ongoing complaints, it was confirmed that all had been resolved and there were now no ongoing complaints.

While discussing the report, members:

- Clarified that the twenty-six new complaints were all from different people. It was noted that complaints were often submitted out of dissatisfaction with a particular decision that had been made by the Council, rather than specifically in relation to a supposed breach of the code of conduct, and that in such cases it was not uncommon for a member to receive multiple complaints. It was emphasised that all complaints were treated equally and that the receipt of multiple complaints about the same issue did not affect how they were treated individually.
- Queried how much officer time was spent resolving a complaint. Members were informed that although the complaint process had been streamlined to facilitate more timely resolutions, it remained necessary to read and assess each individual

complaint, consult the independent person as required, notify the respective member that a complaint had been received, and ensure the complainant was kept informed throughout the process. It was suggested that each complaint required approximately three to four hours of officer time to resolve if a breach of the code of conduct was judged to have not occurred.

It was resolved unanimously to:

Note the contents of the report.

48. Constitution and Ethics Committee Agenda Plan

The Committee noted its agenda plan.

Chair

Annual Budget Meeting – Business Plan Debate

To: Constitution and Ethics Committee

Meeting Date: 14 November 2023

From: Service Director of Legal and Governance

Outcome: To consider changes to the Council's Constitution detailing the process by which the Business Plan debate will be conducted at the annual budget meeting.

Recommendation: The Committee is asked to:

Recommend to Full Council the revisions to the Constitution set out in Appendix 1 of the report.

Officer contact:

Name: Michelle Rowe

Post: Democratic Services Manager

Email: michelle.rowe@cambridgeshire.gov.uk

1. Background

- 1.1 The Council's annual budget meeting takes place in February each year. Before the meeting, Group Leaders are consulted on a protocol for debating the Council's proposed business plan. At the meeting, the Council is then asked to suspend any standing orders in connection with the business plan debate in order to accommodate the agreed procedure.
- 1.2 Many local authorities have incorporated arrangements for debating the budget within their constitutions. At the moment, there is a lack of transparency in Cambridgeshire as to how the budget debate is conducted. There is also no authority regarding the timelines on submission of amendments, as the meeting to suspend standing orders occurs after the deadline for amendments.

2. Main Issues

- 2.1 Proposed changes to the rules of debate in Chapter 4-1 of the Council's constitution (Council Procedure Rules), reflecting the current Budget Debate Protocol, are set out below and highlighted as additions in bold at Appendix 1 of the report. If Full Council agrees these changes, there will no longer be any need to suspend standing orders at each budget meeting.

Content and Length of Speeches

- 2.2 At the annual budget meeting, Group Leaders will have opening speeches immediately after the motion has been proposed and seconded, in order of members of the administration first and then the opposition, based on descending order of group size.

When a Member may Speak Again

- 2.3 Add a Section g) - For the annual budget debate, Group Leaders will also be able to speak during the main debate itself, following their opening speeches.

Amendments to Motions

- 2.4 Add to Section b) - At the annual budget meeting, due to the complexity of the Business Plan and the need for financial compliance, any significant* amendments must be submitted to the Section 151 Officer and the Democratic Services Manager at least five clear working days before the date of the meeting, in order to enable the Section 151 Officer to confirm whether the proposed amendments would result in a lawful budget.

Any minor* amendments must be submitted to the officers above not later than noon one working day before the date of Full Council.

[*Note – Amendments will be classified as significant if they call for changes which will require the Section 151 Officer to expend a considerable amount of time checking the budget figures. Minor amendments will be those that relate to a single budget line. The final decision as to whether an amendment is significant rests with the Section 151 Officer].

- 2.5 Add to Section c) - At the annual budget meeting, amendments will be debated in the order selected by the Chair of the Council, having regard to the proportionality of the groups.
- 2.6 Add a Section g) to state - At the annual budget meeting, if a majority vote in favour of either the original recommendation or the amended version cannot be achieved, the Chair shall immediately adjourn the debate and meeting, and ask Group Leaders to make themselves available with a view to commencing discussions / negotiations in order to arrive at a recommendation which will gain sufficient support to achieve a majority. As soon as a new recommendation has been proposed, (which is approved by the Section 151 officer), the Chair shall reconvene the meeting and ask for the amendment to be moved and debated.

3. Source Documents

- 3.1 [Council Constitution - Cambridgeshire County Council](#)

Council Procedure Rules

These rules are designed to ensure meetings of the Full Council run smoothly and are conducted properly.

1. Annual Meeting of the Council

1.1 Timing

In a year when there is an ordinary election of councillors, the annual meeting will take place within 21 days of the retirement of the outgoing councillors.

In any other year, the annual meeting will take place in May.

1.2 Business

The annual meeting will carry out the tasks listed below.

- (a) Elect a person to preside if the Chair of Council is not present.
- (b) Elect the Chair of Council.
- (c) Elect the Vice-Chair of Council.
- (d) Approve the minutes of the last meeting.
- (e) Receive any announcements from the Chair and/or Head of Paid Service.
- (f) Agree the scheme of delegation or such part of it as the Constitution determines it is for the Council to agree (as set out in Part 3 of this Constitution).
- (g) Approve a programme of ordinary meetings of the Council for the year.
- (h) Consider any business set out in the notice convening the meeting.

In addition, the annual meeting in a year where there is an ordinary election of councillors will receive the report of the County Returning Officer for information, and will receive the Council's Constitution for endorsement.

1.3 Selection of Councillors on Committees and Outside Bodies

At the annual meeting, the Council will:

- (a) Decide which committees and sub-committees to establish for the municipal year.

- (b) Decide the size and terms of reference for those committees and sub-committees.
- (c) Decide the allocation of seats and substitutes to political groups in accordance with the political balance rules.
- (d) Appoint the Chair and Vice-Chair of the Strategy, Resources and Performance Committee who will also fulfil the role of Leader and Deputy Leader of the Council respectively.
- (e) Appoint the chair and vice-chair of each of the six policy and service committees.
- (f) Appoint the Chair and Vice-Chair of the Audit and Accounts Committee, Pension Fund Committee and Planning Committee.
- (g) Appoint to outside bodies except where appointment to those bodies has been delegated by the Council.

2. Ordinary Meetings

Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's annual meeting. Ordinary meetings will:

- (a) Elect a person to preside if the Chair and Vice-Chair are not present.
- (b) Approve the minutes of the last meeting.
- (c) Receive any announcements from the Chair, Leader, committee chairs or the Chief Executive.
- (d) Subject to the consent of the person presiding at the meeting:
 - (i) Receive questions from, and provide answers to, the public; and
 - (ii) Receive petitions in accordance with the Council's petitions scheme.
- (e) Deal with any business from the last Council meeting.
- (f) Consider recommendations from the Council's committees on matters requiring a Council decision.
- (g) Receive reports about and receive questions and answers on the business of joint arrangements and external organisations.
- (h) Consider motions.

- (i) Consider any other business specified in the summons to the meeting, including consideration of proposals from the Strategy, Resources and Performance Committee in relation to the Council's budget and policy for debate.
- (j) Put questions to the Council's representatives on the Fire Authority and the Combined Authority Board and Overview and Scrutiny Committee.
- (k) Adjourn for ten minutes approximately every two hours, at an appropriate point.

3. Extraordinary Meetings

3.1 Calling Extraordinary Meetings

Those listed below may request the proper officer to call Council meetings in addition to ordinary meetings:

- (a) The Council by resolution;
- (b) The Chair of the Council;
- (c) The Monitoring Officer; and
- (d) Any five members of the Council if they have signed a requisition presented to the Chair of the Council and they have refused to call a meeting or have failed to call a meeting within seven days of the presentation of the requisition.

Any requisition received for an extraordinary meeting must specify the business to be transacted at the meeting.

3.2 Business

The business to be transacted at an extraordinary meeting of the Council shall be restricted to those items set out in the summons.

4. Appointments to Committees

Every person appointed to be a member of a committee or sub-committee will remain a member of that committee until the first of the following events:

- (a) They cease to be a councillor;
- (b) Their resignation;
- (c) Changes to political balance necessitate changes to committee membership;
or
- (d) Removal by the proper officer at the request of their group.

The Full Council is required to keep the allocation of seats to groups under review.

Whenever allocation of seats is considered by the Full Council the Monitoring Officer shall submit a report showing what the allocation of seats should be in order to ensure committees reflect the overall political balance of the Council.

Democratic Services will ensure that all appointments to committees are reported to the next meeting of the appropriate committee.

Any changes in membership must be notified to the Democratic Services Manager by the group leader or the majority of the group no later than 12.00 noon the working day before the relevant meeting.

As well as allocating seats on committees and sub-committees, the Council will allocate seats in the same manner to ensure that the number of substitute members is equal to the number of members on a committee/sub-committee with a minimum of three substitute members per political group.

5. Time and Place of Meetings

The time and place of meetings will be determined by the proper officer and notified in the summons.

6. Notice of and Summons to All Meetings

The proper officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Procedure Rules. At least five clear days before a meeting, the proper officer will send a summons signed by them to every member of the Council. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

The Monitoring Officer may, after consultation with the Chair, cancel a meeting of the Council, if they are satisfied that there is insufficient business to be transacted or if they are satisfied that this is the appropriate course of action.

7. Chair of Meeting

The person presiding at the meeting may exercise any power or duty of the Chair.

If any issues arise at a meeting in relation to the interpretation of the procedure rules, the Chair's decision shall be final.

8. Quorum

The quorum of a meeting will be one third of the whole number of voting members. During any meeting, if the Chair counts the number of members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chair. If the Chair does not fix a date, the remaining business will be considered at the next ordinary meeting.

9. Questions by Members

9.1 Oral Questions

At every meeting except extraordinary or special meetings of the Council and the first annual meeting of a new Council, members may ask questions for a response by the Council's appointee on the Combined Authority, and its appointees to the Combined Authority Overview and Scrutiny Committee; councillors may also comment on concerns or issues. The protocol for such questions or comments is set out in Annex 1.

At Council meetings in October and March, members will have an opportunity to ask questions and comment on fire issues. The protocol for such questions or comments is set out in Annex 2.

With the exception of these questions, the Chair of the Council has the authority to accept oral questions in exceptional circumstances only.

9.2 Written Questions

Subject to the provisions set out below, a member of the Council may ask:

- (a) The Chair; and/or
- (b) The chair of any committee.

A question in writing on any matter in relation to which the Council has powers or duties or which affects the county.

A member may only ask a written question under Rule 9.2 if either:

- (a) They have given notice in writing of the question to the proper officer no later than 12.00 noon five working days before the date of the meeting, excluding extraordinary or special meetings of the Council and the first annual meeting of a new Council, where no written questions may be asked unless they are agreed as an urgent item by the Chair under paragraph (b) below; or

- (b) The question relates to urgent matters, they have the consent of the Chair to whom the question is to be put, and the content of the question is given to the proper officer at least one hour before the scheduled start of the meeting.

The maximum number of written questions submitted to any one meeting will be twenty. Questions will be accepted in the order received until the limit has been reached.

9.3 Public Question Time

There will be an opportunity for up to four members of the public to ask questions at meetings of the County Council, excluding extraordinary or special meetings of the Council and the first annual meeting of a new Council, to the Leader of the Council and the chair of any committee.

If more than four members of the public apply to speak, questioners will be invited to defer their question to the next meeting. The Democratic Services Officer will ensure that all steps are taken to inform the “unsuccessful” speakers in advance and, where they either choose not to defer their question or do not reply, a written reply will be sent within ten working days after the meeting.

(Any decision to exceed the limit will be at the discretion of the Council Chair.)

Members of the public wishing to ask a question at the Council meeting should provide the following details to the Council’s Democratic Services by no later than 12.00 noon, five working days before the meeting:

- (a) Name and contact details of the person asking the question.
- (b) The name of the organisation if the question is being asked on their behalf.
- (c) Details of the question to be asked.
- (d) The name or position of the member of the Council to whom it is to be put.
- (e) Brief information about how the subject of the question relates to the person asking the question (e.g. as a resident of the area, as a recipient of a service, as the owner of a property affected by a proposal).

Only one question may be asked by each member of the public or organisation and the question must relate to a single topic. A question which is substantially the same as a question which has been put at a meeting of the Council or one of its committees in the past six months will not be allowed.

The Chair will decide whether to reject a question should the Monitoring Officer inform them that the question asked:

- (a) Is not about a matter for which the local authority has a responsibility or which affects the county and is something the Council is able to influence;

- (b) Is illegal, improper, defamatory, frivolous or offensive;
- (c) Requires the disclosure of confidential or exempt information;
- (d) Is within the remit of the Cambridgeshire and Peterborough Combined Authority;
- (e) Relates to a planning application;
- (f) Is from an employee of the Council, except when acting as trade union representatives or private individuals, as the employee has sufficient channels of communication, both internally and through their representative bodies;
- (g) Is from a provider the Council contracts with or chooses not to contract with unless unrelated to those specific contracts;
- (h) Relates to separate appeal, adjudication, litigation, mediation or dispute resolution;
- (i) Is about the conduct of individual councillors or employees; or
- (j) Is in multiple parts.

Members of the public shall have up to two minutes in which to ask the question.

The named member will respond to the question which may take the form of:

- (a) A direct oral response of up to a maximum of two minutes;
- (b) Where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) Where the reply cannot conveniently be given orally, a written response circulated later to the questioner and made available to all members of Council and to the public.

After the response has been given, the questioner has up to a further minute in which to put one supplementary question or seek clarification of the response to the original question. The supplementary question must arise directly out of the original question or the reply and must not introduce new material.

The recipient of the original question then has up to a further two minutes in which to reply to the supplementary question.

No debate will be allowed on any question or the response.

If the questioner cannot be present at the Council meeting to pose their question, a written question will be accepted and answered in writing.

9.4 Petition Scheme

Anyone living, working or studying in the Council's area who wishes to raise an issue or have their views heard on a Council matter can create or submit a petition. Petitions are accepted via the Council's website, in paper form, or by a combination of these.

Electronic petitions will be accepted provided they are:

- (a) Submitted using the Council's free ePetitions facility; or
- (b) Submitted as one document, containing the list of names and contact information of those supporting the petition. These petitions should be sent to: DemocraticServices@cambridgeshire.gov.uk.

Paper petitions can be sent to:

The Petitions Officer
Cambridgeshire County Council
New Shire Hall
Alconbury Weald
PE28 4XA

A combination of an electronic petition and paper petition is acceptable provided they follow the guidelines set out in the scheme.

Once a petition has been received, it will be assigned to a Democratic Services Officer, who will be responsible for advising the petition organiser on the action to be taken by the authority within ten working days.

Ordinary Petitions

The petition must relate to functions for which the Council has powers or duties, or to improvements in the economic, social or environmental welfare of Cambridgeshire, to which the Council, or any of its partners, can contribute.

Format of Petitions

Petitions submitted to the Council must include a clear and concise statement covering the subject of the petition. It should state:

- (a) What actions the petitioners wish the Council to take.
- (b) The name and contact details of the petition organiser, who should be a local person*.
- (c) The name (preferably in block capitals) and full address of each local person* who signs it. Where the petition is in paper form, this should include an actual signature. Where the petition is submitted in electronic form a list of the names and addresses will suffice.

- * *A 'local person' is anyone who lives, owns a business, or works in the area, or who attends a school or college in the area at the time the petition is submitted. (Business, school or college to be recorded where appropriate. Addresses not within the Council's area will not be counted).*

How will the Council respond to petitions

The Council's response will depend on what the petition asks for, but it will include one or more of the following:

- (a) Take action as requested in the petition;
- (b) Meet with petitioners;
- (c) Refer the petition to Full Council or one of the Council's committees; and/or
- (d) Call a referendum.

[A referendum on constitutional change could be triggered with a petition submitted by 5% of the local government electors registered in the local authority's area.]

Petitions will not be referred to extraordinary or special meetings of Full Council, or to the first annual meeting of a new Council.

Speaking at Council/Committee Meetings

The petition organiser, or their nominee** will be able to speak at the meeting providing the following conditions are met:

- (a) The petition must relate to the powers and duties of that committee / body;
- (b) The petition must be signed by at least fifty 'local people' *** who have an interest in the subject of the petition - the addresses of the signatories must be included for this purpose. Petitions with fewer than fifty signatures will still be considered but there is no right to speak;
- (c) The petition must be received by no later than 9.00 a.m. five working days before the meeting; and
- (d) The petition must be accepted by the chair of the committee for presentation at the meeting. This is likely to be agreed unless there are exceptional circumstances.

*** County councillors will not usually be allowed to speak to petitions under this procedure as they have other opportunities to make their views known. This may, however, be allowed where the councillor has a prejudicial interest preventing them from speaking to a report, or where the petition organiser or other representative of the petitioners is unable to attend the meeting. In these circumstances the chair of the meeting concerned will be consulted and asked to exercise their discretion to allow a county councillor to present the petition.*

**** A 'local person' is anyone who lives, owns a business, or works in the area, or who attends a school or college in the area at the time the petition is submitted. (Business, school or college address to be recorded where appropriate.)*

Process at the Meeting

Time for presenting a petition will be limited to three minutes. If there is an item / report on the agenda which relates to the petition, the petition organiser will usually be asked to make their presentation at the beginning of that item. Once they have spoken to the meeting, councillors may wish to ask them questions about the petition. The person presenting the petition will not be allowed to take part in the subsequent debate. If there is no relevant item on the agenda, petitions will usually be heard at the start of the meeting, but they will not usually be discussed.

Petition organisers will receive a written response from the chair of the meeting within ten working days of the meeting.

Petitions for Debate at Council

If a petition contains at least 3,000 signatures, the petition organiser can ask for it to be debated at a meeting of Full Council, which all councillors can attend.

The petition organiser, or nominee, will be given five minutes to present the petition at the meeting and the petition may be discussed by councillors for a maximum of up to fifteen minutes.

The Council will decide how to respond to the petition at this meeting. It may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by the relevant committee. Where the petition organiser does not attend the meeting, they will receive written confirmation of this decision within ten working days of the meeting.

Exclusions

Certain petitions are not covered by this scheme and are dealt with under separate processes. These are:

- (a) Petitions relating to planning applications. These are considered by the Council's Planning Committee. You can find further details on how to make

your views known to the committee on the planning pages of the Council's website, or ask the Democratic Services Team for information.

- (b) Petitions relating to traffic regulation orders. These are considered by the Assistant Director: Highways in consultation with the local members.
- (c) Petitions in response to consultation on a specific issue or proposal. These should be sent to the return address as detailed in the relevant consultation document.
- (d) Statutory petitions (for example requesting a referendum on having an elected mayor).
- (e) A matter where there is an existing right of appeal.

The Council will not consider:

- (a) Petitions that do not follow the guidelines set out in this petition scheme.
- (b) Petitions that do not relate to a matter for which the local authority has a responsibility, or which affects the county and is something the Council is able to influence.
- (c) Petitions disclosing matters that are personal or confidential.
- (d) Petitions which are in the opinion of the Monitoring Officer, in consultation with the relevant committee chair, to be libellous, rude, offensive, vexatious, abusive or otherwise inappropriate, or which are in breach of the Council's statutory duties in respect of equality, diversity and inclusion.
- (e) Petitions from, or submitted on behalf of a business, or person, where the main purpose of the petition is to influence a forthcoming commercial decision of the Council, or the terms and conditions of a commercial transaction.
- (f) Duplicate petitions. Where more than one petition is received in time for a particular meeting, each supporting the same outcome, each petition organiser will be treated as an independent petition organiser, but only the organiser of the first petition to be received will be invited to address the relevant meeting.
- (g) Repeat petitions. Petitions will not normally be considered within six months of another petition on the same matter having been considered by the Council or one of its committees.

Where any of the above applies, the Council's petitions officer will contact the petition organiser to explain the reasons behind the decision.

Informal Review

If the petitioner believes the petition has not been dealt with in accordance with this scheme. The lead petitioner should seek an informal review by the Monitoring Officer, who will inform them of any decision arising from the review within ten working days.

General Data Protection Regulation

People signing a petition are consenting to Cambridgeshire County Council holding and processing their personal data. All personal information will be kept safe and secure for a period of four years. It is the responsibility of the petition organiser to ensure that people signing the petition are consenting to this and they are aware how Cambridgeshire County Council will be holding their personal data.

10. Motions on Notice

10.1 Notice

Except for motions which can be moved without notice under Rule 11, written or electronic notice of motions for discussion at Council meetings, excluding extraordinary or special meetings and the annual budget meeting of the Council or the first annual meeting of a new Council, must be delivered to the proper officer not later than 12.00 noon 14 days before the date of the meeting. The proper officer will maintain a public record of all motions submitted. Any councillor may give notice of not more than one motion for consideration at any ordinary meeting.

Other than at the annual budget meeting, for which no notices of motions shall be accepted, a maximum of five motions shall be accepted for debate at an ordinary meeting of the Council under this standing order.

10.2 Motion set out in Agenda

Motions for which notice has been given will be listed on the agenda in the order in which notice of the full written motion in its draft form was received, unless the Member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.

10.3 Scope

Motions:

- (a) Must be about matters for which the Council has a responsibility, or which affect the county;
- (b) May propose an addition or change to a policy framework provided that the addition or change could not reasonably have been raised when the policy framework was originally approved;

- (c) May not raise the competence or performance of a councillor or officer;
- (d) May not raise any matter involving exempt information or normally considered confidential;
- (e) May not make any abusive or defamatory comments; and
- (f) May not be related to a planning application, or any other quasi-judicial matter, that will or could be determined by the authority, including Nationally Significant Infrastructure Projects (NCIPS), or for which it is a statutory consultee.

11. Motions Without Notice

The following motions may be moved without notice:

- (a) To appoint a chair of the meeting at which the motion is moved.
- (b) In relation to the accuracy of the minutes.
- (c) To change the order of business in the agenda.
- (d) To refer something to an appropriate body or individual.
- (e) To appoint a committee or member arising from an item on the summons for the meeting.
- (f) To receive reports or adoption of recommendations of committees or officers and any resolutions following from them.
- (g) To withdraw a motion.
- (h) To amend a motion.
- (i) To proceed to the next business.
- (j) That the question be now put.
- (k) To adjourn a debate.
- (l) To adjourn a meeting.
- (m) To suspend a particular Council Procedure Rule.
- (n) To exclude the public and press in accordance with the Access to Information Rules.
- (o) To not hear further a member named under Rule 19.3 or to exclude them from the meeting under Rule 19.4.

- (p) To give the consent of the Council where its consent is required by this constitution.

12. Rules of Debate

12.1 No Speeches Until Motion Seconded

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

12.2 Right to Require Motion or Amendment in Writing

Unless notice of the motion or amendment has already been given, the Chair may require it to be written down and handed to them before it is discussed.

12.3 Secunder's Speech

When seconding a motion or amendment, a member may reserve their speech until later in the debate.

12.4 Content and Length of Speeches

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed five minutes without the consent of the Chair. **At the annual budget meeting, Group Leaders will have opening speeches immediately after the motion has been proposed and seconded, in order of members of the administration first and then the opposition, based on descending order of group size.**

12.5 When a Member may Speak Again

A member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- (a) To speak once on an amendment moved by another member.
- (b) To move a further amendment if the motion has been amended since they last spoke.
- (c) If their first speech was on an amendment moved by another member, to speak on the main issue (whether or not the amendment on which they spoke was carried).
- (d) In exercise of a right of reply.
- (e) On a point of order.
- (f) By way of personal explanation.

- (g) For the annual budget debate, Group Leaders will also be able to speak on during the main debate itself, following their opening speeches.**

12.6 Amendments to Motions

- (a) An amendment to a motion must be relevant to the motion and should not seek to introduce into the motion a new issue unrelated to the subject in the motion. It will either be:
- (i) To refer the matter to an appropriate body or individual for consideration or reconsideration.
 - (ii) To leave out words.
 - (iii) To leave out words and insert or add others.
 - (iv) To insert or add words.
 - (v) As long as the effect of (ii) to (iv) is not to negate the motion.
- (b) An amendment to a motion must be delivered to the Monitoring Officer and Democratic Services Manager in its draft form not later than noon two working days and its intended final form not later than noon one working day before the date of the meeting at which the motion is to be considered. If more than one amendment is received, amendments will be taken at the meeting in the order in which they were received by the Democratic Services Manager.

If no withdrawal, confirmation or change is received by the Monitoring Officer, it will be assumed that the amendment is to be considered in its initial form.

No other amendment may be moved at the meeting except where the Chair of Council may permit, at their absolute discretion, in exceptional circumstances and to ensure the efficient or proper discharge of the Council's business, a further amendment or amendments to be moved.

At the annual budget meeting, due to the complexity of the Business Plan and the need for financial compliance, any significant* amendments must be submitted to the Section 151 Officer, and the Democratic Services Manager, at least five clear working days before the date of the meeting, in order to enable the Section 151 Officer to confirm whether the proposed amendments would result in a lawful budget.

Any minor* amendments must be submitted to the officers above not later than noon one working day before the date of Full Council.

[*Note – Amendments will be classified as significant if they call for changes, which will require the Section 151 Officer to expend a

considerable amount of time checking the budget figures. Minor amendments will be those that relate to a single budget line. The final decision as to whether an amendment is significant rests with the Section 151 Officer].

- (c) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed. **At the annual budget meeting, amendments will be debated in the order selected by the Chair of the Council, having regard to the proportionality of the groups.**
- (d) If an amendment is not carried, other amendments to the original motion may be moved.
- (e) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- (f) After an amendment has been carried, the Chair will advise the meeting of the content of the amended motion before accepting any further amendments, or if there are none, put it to the vote.
- (g) **At the annual budget meeting, if a majority vote in favour of either the original recommendation or the amended version cannot be achieved, the Chair shall immediately adjourn the debate and meeting, and ask Group Leaders to make themselves available with a view to commencing discussions / negotiations in order to arrive at a recommendation which will gain sufficient support to achieve a majority. As soon as a new recommendation has been proposed, (which is approved by the Section 151 officer), the Chair shall reconvene the meeting and ask for the amendment to be moved and debated.**

12.7 Alteration of Motion

- (a) A member may alter a motion of which they have given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- (b) A member may alter a motion which they have moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- (c) Only alterations to the motion which could be made as an amendment may be made.

12.8 Withdrawal of Motion

A member may withdraw a motion which they have moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

12.9 Right of Reply

- (a) The mover of a motion, whether amended or not, has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- (b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.
- (c) The mover of the amendment has no right of reply to the debate on their amendment.

12.10 Motions which may be Moved During Debate

When a motion is under debate, no other motion may be moved except the following procedural motions:

- (a) To withdraw a motion.
- (b) To amend a motion.
- (c) To proceed to the next business.
- (d) That the question be now put.
- (e) To adjourn a debate.
- (f) To adjourn a meeting.
- (g) To exclude the public and press in accordance with the Access to Information Rules.
- (h) To not hear further a member named under Rule 19.3 or to exclude them from the meeting under Rule 19.4.

12.11 Closure Motions

- (a) A member may move, without comment, the following motions at the end of a speech of another member:
 - (i) To proceed to the next business.

- (ii) That the question be now put.
 - (iii) To adjourn a debate.
 - (iv) To adjourn a meeting.
- (b) If a motion to proceed to next business is seconded and the Chair thinks the item has been sufficiently discussed, they will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- (c) If a motion that the question be now put is seconded and the Chair thinks the item has been sufficiently discussed, they will put the procedural motion to the vote. If it is passed, they will give the mover of the original motion a right of reply before putting their motion to the vote.
- (d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chair thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, they will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

12.12 Point of Order

A member may raise a point of order at any time. The Chair will hear them immediately. A point of order may only relate to an alleged breach of these Council Rules of Procedure or the law. The member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the Chair on the matter will be final.

12.13 Personal Explanation

A member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate. The ruling of the Chair on the admissibility of a personal explanation shall be final.

12.14 Officers Addressing the Council

Officers will not normally be called upon to address the Council or to answer questions unless specifically requested to do so by the Chair of the Council. This rule shall not apply to the provision of procedural advice by the Monitoring Officer or to the Head of Paid Service and Section 151 Officer when acting in their statutory roles.

13. State of County Debate

- 13.1 The Chair, in consultation with the Leader, may convene meetings of the Council to discuss matters relating to the state of the county. The application of these rules to such meetings may be varied in accordance with a detailed protocol agreed by the Council.

14. Previous Decisions and Motions

14.1 Motion to Rescind a Previous Decision

A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least a third of members.

14.2 Motion Similar to One Previously Rejected

A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least a third of members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

15. Voting

15.1 Majority

Unless the Constitution provides otherwise, any matter will be decided by a simple majority of those members voting and present in the room at the time the question was put.

15.2 Chair's Casting Vote

If there are equal numbers of votes for and against, the Chair will have a second or casting vote. There will be no restriction on how the Chair chooses to exercise a casting vote.

15.3 Method of Voting

Unless a recorded vote is demanded under Rule 15.5 or required under Rule 15.6 or the Chair determines that the vote will be by means of the electronic voting system under Rule 15.4, or by ballots under Rule 15.9, the Chair will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

15.4 Electronic Voting

Where indicated by the Chair presiding at the meeting, voting may be by means of the electronic voting system. The result of the vote shall be as indicated by the electronic voting system announced by the person presiding at the meeting.

The results of all electronic votes shall be published as a PDF document (as produced by the voting system) on an appropriate page on the Council's website.

15.5 Recorded Vote

If 14 members present at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be recorded and entered into the minutes. A demand for a recorded vote will override a demand for a ballot.

15.6 Recorded Vote at Annual Budget Meeting

Voting in relation to the annual budget setting, including motions and amendments, shall be by recorded vote. There shall be recorded in the minutes of the meeting the names of those members who cast a vote for the decision or against the decision or who abstained from voting.

15.7 Right to Require Individual Vote to be Recorded

Where any member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

15.8 Voting by Political Groups

The pattern of voting by the political groups will be recorded for all decisions taken at Council meetings.

15.9 Voting on Appointments

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person. Alternatively, the Chair may determine that voting on appointment be by means of a ballot.

16. Minutes

16.1 Signing the Minutes

The Chair will sign the minutes of the proceedings at the next suitable meeting. The Chair will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

16.2 No Requirement to Sign Minutes of Previous Meeting at Extraordinary Meeting

The minutes of any meeting shall be signed at the next ordinary meeting (but not at an extraordinary meeting called under paragraph 3 of Schedule 12 to the Local Government Act 1972).

17. Exclusion of Public

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 4 of this Constitution or Rule 20 (Disturbance by Public).

18. Members' Conduct

18.1 Standing to Speak

A member may indicate their wish to speak and shall wait to be called by the Chair. When a member is called by the Chair to speak at full Council they must stand, if able, and address the meeting through the Chair. Whilst a member is speaking, other members who wish to make a point of order or a point of personal explanation must indicate their wish to the Chair, who will then call on them to speak.

18.2 Halting Debate

When the Chair indicates a wish to halt a debate with the gavel, any member speaking at the time must stop. The meeting must be silent.

18.3 Member not to be Heard Further

If a member persistently disregards the ruling of the Chair by behaving improperly or offensively or deliberately obstructs business, the Chair may move that the member be not heard further. If seconded, the motion will be voted on without discussion.

18.4 Member to Leave the Meeting

If the member continues to behave improperly after such a motion is carried, the Chair may move that either the member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

18.5 General Disturbance

If there is a general disturbance making orderly business impossible, the Chair may adjourn the meeting for as long as they think necessary.

19. Disturbance by Public

19.1 Removal of Member of the Public

If a member of the public interrupts meeting proceedings, the Chair will warn the person concerned. If they continue to interrupt, the Chair will order their removal from the meeting room.

19.2 Clearance of Part of Meeting Room

If there is a general disturbance in any part of the meeting room open to the public, the Chair may call for that part to be cleared.

20. Photography and Audio Recordings of Meetings

The Council supports the principle of transparency and encourages filming, recording and taking photographs at its meetings that are open to the public. It also welcomes the use of social networking and micro-blogging websites to communicate with people about what is happening, as it happens. These arrangements will operate in accordance with a protocol agreed by the Chair of the Council and political group leaders. This protocol will be published on the Council's website.

21. Electronic Communication

Where these rules require that written notice is given to the proper officer, such notice will also be deemed to have been given if received by the proper officer by email within the specified deadline.

22. Suspension and Amendment of Council Procedure Rules

22.1 Suspension

All of these Council Rules of Procedure, except Rules 15.6, 15.7 and 16.2, may be suspended by motion on notice or without notice if at least one half of the whole number of members of the Council are present. Suspension can only be for the duration of the meeting.

22.2 Amendment

Any motion to add to, vary or revoke these Council Rules of Procedure will, when proposed and seconded, stand adjourned without discussion to be dealt with at the next ordinary meeting of the Council.

Annex 1

Cambridgeshire and Peterborough Combined Authority and Overview and Scrutiny Committee – Oral Questions at County Council Meetings

1. Members will have an opportunity to ask questions and comment on Cambridgeshire and Peterborough Combined Authority decisions at meetings of the County Council except extraordinary or special meetings of the Council and the first annual meeting of a new Council.
2. The Combined Authority will prepare a generic report summarising the decisions made by its formal committees for use by all local authorities within its area. This report shall be noted as read with no introduction.
3. Councillors may ask questions for a response by the Council's appointee on the Combined Authority, and its appointees to the Combined Authority Overview and Scrutiny Committee, which relate to the decisions of the Combined Authority Board and Overview and Scrutiny Committee, as set out in the generic report provided.
4. If members wish to raise questions or issues requiring a detailed response, they must give five working days' advance notice so that the necessary information can be obtained in advance of the meeting, unless a meeting of the Combined Authority is due to take place during the notice period, in which case the Chair will decide whether to accept the question.
5. Members will have two minutes in which to ask a question and one minute for a supplementary with up to a maximum of two minutes for a direct oral to each.
6. The Chair of Council will exercise discretion over the amount of time allocated to the discussion of this item or the maximum time allowed for these questions and answers will be 40 minutes (20 minutes for questions to the Council's appointee on the Combined Authority, and 20 minutes for questions to its appointees to the Combined Authority Overview and Scrutiny Committee).

Annex 2

Discussion of Fire Issues at County Council Meetings

- Members will have an opportunity to ask questions and comment on fire issues at the Council meetings in October and March.
- The Chair of the Fire Authority will prepare a short paper for inclusion in the agenda outlining some of the key issues facing the Authority in recent/ coming months.
- Councillors may ask questions for response by members of the Fire Authority or simply comment on concerns or issues.
- If members wish to raise questions or issues requiring a detailed response, it will usually be helpful if they give advance notice so that the necessary information can be obtained in advance of the meeting.
- The usual five minute time limit will apply to all speeches.
- The Chair of Council will exercise discretion over the amount of time allocated to the discussion of this item.
- The Cambridgeshire and Peterborough Fire Authority is a separate corporate body. The County Council is not in a position to direct any course of action by this organisation.

Cambridgeshire and Peterborough Health and Wellbeing Board – Revised Terms of Reference

To: Constitution and Ethics Committee

Meeting Date: 14 November 2023

From: Service Director of Legal and Governance

Outcome: To consider changes to the terms of reference of the Cambridgeshire and Peterborough Health and Wellbeing Board / Integrated Care Partnership.

Recommendation: The Committee is asked to:

Recommend the revised terms of reference of the Cambridgeshire and Peterborough Health and Wellbeing Board / Integrated Care Partnership, as set out in Appendix 1 of the report, to full Council for approval.

Officer contact:

Name: Michelle Rowe
Post: Democratic Services Manager
Email: michelle.rowe@cambridgeshire.gov.uk

1. Background

- 1.1 The Cambridgeshire and Peterborough Health and Wellbeing Board / Integrated Care Partnership met on 20 October 2023 to review proposed revisions to its terms of reference, which had occurred since July 2022.
- 1.2 The terms of reference form part of the constitutions of Cambridgeshire County Council and Peterborough City Council.

2. Main Issues

- 2.1 A copy of the revised terms of reference is attached at Appendix 1, with the changes detailed below.

Membership

- 2.2 The membership has been restructured to simplify the presentation of the different types of members.
- 2.3 Following the changes in the management arrangements for both councils, there are now two adults' services directors and two children's services directors. The two Chief Executives have agreed that each authority will nominate one director, with the other acting as the nominated substitute.
- 2.4 The terms of reference for the Health and Wellbeing Board provide for an officer of the Cambridgeshire and Peterborough Combined Authority to be a member of the Board, alongside the Mayor of the Combined Authority who is a member via the Integrated Care Partnership. The Chief Executive of the Combined Authority will join going forward to fulfil the Health and Wellbeing Board role, with role of the Mayor unchanged.
- 2.5 The draft updated terms of reference also reflect the current list of Integrated Care Partnership. These changes do not introduce any new members.

Quorum

- 2.6 To aid the effective planning of meetings, the quorum provisions have been made more explicit.

Appointment of Substitute Members

- 2.7 There is significant value where there is a continuity of attendance, however it is recognised that on occasions substitutes may be required to attend. Individual nominating organisations may choose to have additional arrangements in place for the management of substitutes. The proposed change clarifies the base expectations for all members.

Members' Conduct

- 2.8 The proposed change also makes it an explicit requirement, where a substitute attends, to complete a register of interest declaration, and introduces a requirement on the Clerk to ensure that a single register of members interest is compiled and maintained.
- 2.9 The Cambridgeshire and Peterborough Health and Wellbeing Board / Integrated Care Partnership endorsed the proposed revisions with one suggestion regarding the presentation of the membership.

3. Source Documents

- 3.1 [Cambridgeshire and Peterborough Health and Wellbeing Board / Integrated Care Partnership meeting – 20 October 2023](#)

12. Cambridgeshire & Peterborough Health and Wellbeing Board

Introduction

The Cambridgeshire & Peterborough Health and Wellbeing Board (HWB) is established as a committee of the County Council under section 102 of the Local Government Act 1972. Its remit is to work to promote the health and wellbeing of Cambridgeshire's communities and its focus is on securing the best possible health outcomes for all residents. This involves a system level partnership with NHS and Local Government as equal partners and the alignment of partners' strategies across the system.

In consideration of the developments around the Integrated Care Partnerships (ICPs), Cambridgeshire & Peterborough HWB aims to ensure that integration is closely linked to prevention and tackling the wider determinants of health. A joint Cambridgeshire & Peterborough HWB has collective accountability and responsibility for population health care outcomes. The Board maintains its separate statutory identity from the ICP but where possible meets as a committee in common. It is the intention to have one shared Cambridgeshire & Peterborough Health & Wellbeing Strategy that is owned across the local system.

Membership

Membership from the Health and Wellbeing Board is 20 members, with an additional nine from the Integrated Care Partnership, creating the collective board membership.

Health and Wellbeing Board Members

- Cambridgeshire County Council (CCC) Vice-Chair of Adults & Health Committee (Lead member for HWB)¹
- CCC Chair of Adults & Health Committee
- Peterborough City Council (PCC) Cabinet / Lead member for Public Health/ HWB¹
- PCC Cabinet / Lead Member for Children's Services
- PCC/CCC Executive Director of Public Health¹
- PCC Executive Director: Adults Services or PCC Executive Director: Children and Young People's Service*
- CCC Executive Director for Adults, Health and Commissioning or CCC Executive Director for Children, Education and Families.*
- District Council representative (one officer on behalf of all districts to be appointed by the Cambridgeshire Public Service Board)
- Local Healthwatch Chair¹
- Voluntary & Community Sector Representative
- Cambridgeshire Constabulary (Chief Constable or officer to be determined)
- Cambridgeshire and Peterborough Combined Authority (Chief Executive Officer (CEO) or officer to be determined)
- Chief Executive Integrated Care Board (ICB¹)

- Chair Integrated Care Board
- Representative of Cambridge University Hospitals NHS Foundation Trust (CUHFT)
- Representative of North West Anglia NHS Foundation Trust (NWAFT)
- Representative of Papworth Hospital NHS Foundation Trust
- Representative of Cambridgeshire and Peterborough NHS Foundation Trust (CPFT)
- Representative of Cambridgeshire Community Services NHS Trust (CCS)
- Primary Care Representative (South)

* One member to be agreed between the Chief Executives of Peterborough City Council and Cambridgeshire County Council.

Integrated Care Partnership Board Members

- ICB Deputy Chief Executive/ Managing Director of Strategic Commissioning Accountable Business Unit
- ICB Chief of Partnerships and Strategy
- ICB Non Executive Member
- Primary Care Representative (North)
- District Council representative (one officer on behalf of all districts to be appointed by the Cambridgeshire Public Service Board)
- Police and Crime Commissioner
- Academic Health Science Network Representative
- Voluntary and Community Sector Representative
- Mayor of Cambridgeshire and Peterborough Combined Authority

¹ Denotes statutory members of the Health and Wellbeing Board as required by Section 194 of the Health and Social Care Act 2012. There is a statutory requirement for at least one local authority councillor and at least one representative of the ICS NHS Board, to be a member of the HWB.

Summary of Functions

| Delegated Authority | Delegated Condition |
|---|---|
| Authority to prepare the Joint Strategic Needs Assessment (JSNA) for Cambridgeshire and Peterborough: To develop a shared understanding of the needs of the community through developing and keeping under review the JSNA and to use this intelligence to refresh the Health & Wellbeing Strategy. | Section 116, Local Government and Public Involvement in Health Act 2007 Section 196, Health and Social Care Act 2012 |
| Authority to prepare the Joint Health and Wellbeing Strategy for Cambridgeshire and Peterborough based on the need identified in the Joint Strategic Needs Assessment and overseeing the implementation of the Strategy, which informs and influences the commissioning plans of partner agencies. | Section 116A, Local Government and Public Involvement in Health Act 2007. Section 196, Health and Social Care Act 2012 |
| Authority to respond to consultations about commissioning plans issued by the ICB in connection with Section 26 of the Health and Social Care Act 2012. | Section 26, Health and Social Care Act 2012 |
| Authority to encourage persons who arrange for the provision of any health or social care services in the Council's area to work in an integrated manner. | Section 195, Health and Social Care Act 2012 |
| Authority to provide any advice, assistance and support it thinks appropriate for the purpose of encouraging the making of arrangements under Section 75 of the National Health Service Act 2006. | Section 195, Health and Social Care Act 2012 Section 75, NHS Act 2006 |
| Authority to produce the Pharmaceutical Needs Assessment (PNA) and liaise with NHS England and Improvement (NHSE&I) to ensure recommendations and gaps in services are addressed. | NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013 (SI 2013/349) |
| To consider options and opportunities for the joint commissioning of health and social care services for children, families and adults in Cambridgeshire to meet identified needs (based on the findings of the Joint Strategic Needs Assessment) and to consider any relevant plans and strategies regarding joint commissioning of health and social care services for children and adults. | |

| Delegated Authority | Delegated Condition |
|--|---------------------------|
| To identify areas where joined up or integrated commissioning, including the establishment of pooled budget arrangements, would benefit improving health and wellbeing and reducing health inequalities. | |
| By establishing subgroups as appropriate give consideration to areas of joint health and social care commissioning, including but not restricted to services for people with learning disabilities. | |
| To keep under consideration, the financial and organisational implications and impact on people's experience of joint and integrated working across health and social care services, and to make recommendations for ensuring that performance and quality standards for health and social care services to children, families and adults are met and represent value for money across the whole system. | |
| Authority to prepare and provide Health and Wellbeing Board sign off for the Better Care Fund Plan. | |
| Authority to approve non-statutory joint strategies on health and wellbeing issues (e.g. Cambridgeshire and Peterborough suicide prevention strategy). | |
| Authority to discharge any other functions specifically reserved to be undertaken by health and wellbeing boards as set out in legislation, guidance, circulars and directives received from national government. | |
| Authority to consider whether ICS Board draft forward plans take proper account of the joint local health and wellbeing strategy which relates to the period (or any part of the period) to which the plan relates. | Section 14Z54 White paper |
| To provide oversight to the work undertaken by the member partners to take forward the Cambridgeshire and Peterborough ICB to deliver the "triple aim" duty for all NHS organisations of better health for the whole population, better quality of care for all patients and financially sustainable services for the taxpayer. | |

| Delegated Authority | Delegated Condition |
|---|---------------------|
| To provide a system wide governance forum, including NHS, Local Government and wider partners, to enable collective focus and direction to the responsibilities and decision making of the individual partners. | |

Cambridgeshire & Peterborough Health and Wellbeing Board (Standing Orders)

1. Co-optees

The Cambridgeshire and Peterborough Health and Wellbeing Board will be entitled to appoint non-voting and voting co-opted members to the board. It shall determine whether the co-options shall be for a specified period, for specific meetings or for specific items. Co-options may only be made if the person co-opted has particular knowledge or elected expertise in the functions for which the board is responsible, or knowledge/responsibility for a geographic or academic agenda issue.

2. Notice of Meetings

Meetings of the board will be convened by the Integrated Care Board on behalf of Cambridgeshire County Council and Peterborough City Council. The Integrated Care Partnership will arrange the clerking of the HWB part of the agenda and recording of the whole meeting (a member of Cambridgeshire County Council's or Peterborough City Council's Democratic Services Team will act as support lead).

3. Chair

The appointment of the chair will be determined by the board at each meeting. It will be based on a rotating arrangement between CCC, PCC and the ICP.

4. Quorum

The quorum for all meetings of the board will be nine members from the Health and Wellbeing Board membership and must include at least one elected representative from CCC and PCC and a representative of the ICB.

5. Appointment of Substitute Members

Nominating groups may appoint a substitute member for each position. These members will receive electronic versions of agendas and minutes for all meetings. Notification of a named substitute member must be made in writing or by email to the clerk. Substitute members may attend meetings after notifying the clerk of the intended substitution before the start of the meeting either verbally or in writing. Substitute members will have full voting rights when taking the place of the ordinary member for whom they are designated substitute.

Attendance of a substitute member other than the named substitute will be allowed. Notification of an alternative substitute member attending the meeting must be made verbally or by email to the clerk prior to the meeting.

6. Decision Making

It is expected that decisions will be reached by consensus, however, if a vote is required it will be determined by a simple majority of those members and voting co-opted members present and voting. If there are equal numbers of votes for and against, the Chair will have a second or casting vote. There will be no restriction on how the Chair chooses to exercise a casting vote.

7. Meeting Frequency

The board will meet at least four times a year. In addition, extraordinary meetings may be called from time to time as and when appropriate. A board meeting may be called by the Chair, by any three members of the board or by the Executive Director of Public Health if they consider it necessary or appropriate.

8. Supply of information

The Cambridgeshire and Peterborough Health and Wellbeing Board may, for the purpose of enabling or assisting it to perform its functions, request any of the following persons to supply it with such information as may be specified in the request:

- (a) The local authority that established the Health and Wellbeing Board;
- (b) Any person who is represented on the Health and Wellbeing Board by virtue of section 194(2)(e) to (g) or (8) of the Health and Social Care Act 2012 (“the 2012 Act”); and
- (c) Any person who is a member of a Health and Wellbeing Board by virtue of section 194(2)(g) or (8) but is not acting as a representative.

A person who is requested to supply information under (a), (b) and (c) must comply with the request. Information supplied to a Health and Wellbeing Board under this section may be used by the board only for the purpose of enabling or assisting it to perform its functions.

9. Status of Reports

Meetings of the board shall be open to the press and public and the agenda, reports and minutes will be available for inspection on the CCC and PCC’s website at least five working days in advance of each meeting. [This excludes items of business containing confidential information or information that is exempt from publication in accordance with Part 5A and Schedule 12A to the Local Government Act 1972 as amended.] Other participating organisations may make links from their website to the board’s papers on CCC or PCC’s website.

10. Press Strategy

An electronic link to agendas for all meetings will be sent to the local media. CCC and/or PCC will be responsible for issuing press releases on behalf of the Board and dealing with any press enquiries. Press releases issued on behalf of the board will be agreed with the Chair or Vice-Chair and circulated to all board members.

11. Members' Conduct

Part 5 - Codes and Protocols of the Cambridgeshire County Council's Constitution applies to all elected and 'co-opted' members of the board including those attending as substitutes. The Clerk will ensure that a register of members' interest is held for all members including the Integrated Care Partnership.

12. Amendment of the Terms of Reference

The board may recommend variations to its Terms of Reference by a simple majority vote by the members provided that prior notice of the nature of the proposed variation is made and included on the agenda for the meeting.

13. Governance and Accountability

The board will be accountable for its actions to its individual member organisations. There will be sovereignty around decision making processes. Representatives will be accountable through their own organisations for the decisions they take. It is expected that members of the board will have delegated authority from their organisations to take decisions within the terms of reference. Decisions within the terms of reference will be taken at meetings and will not normally be subject to ratification or a formal decision process by partner organisations. However, where decisions are not within the delegated authority of the board members, these will be subject to ratification by constituent bodies.

It is expected that decisions will be reached by consensus. Board members bring the responsibility, accountability and duties of their individual roles to the board to provide information, data and consultation material appropriate to inform the discussions and decisions.

14. Reporting

The board will take an annual report to Full Council in CCC and PCC and will report to NHS England and Improvement (NHSEI) via the regional team reports, as required.

Mitigating the Risks of Intimidation and Abusive Behaviours Towards Members and Officers

To: Constitution and Ethics Committee

Meeting Date: 14 November 2023

From: Service Director of Legal and Governance.

Outcome: To review the live action plan in response to the motion approved by Council on 21 March 2023, and consider other mitigating measures to address the issue of intimidation and abusive behaviour towards Members.

Recommendation: The Committee is recommended to:

- a) Note the action plan set out in section 2 of the report; and
- b) Consider and agree actions in relation to the proposals set out in section 3 of the report.

Officer contact:

Name: Michelle Rowe

Post: Democratic Services Manager

Email: michelle.rowe@cambridgeshire.gov.uk

1. Background

- 1.1 Over the past few years, there have been growing concerns about the impact that increasing levels of public intimidation and toxicity of debate are having on democratic processes.
- 1.2 In response to this, the Local Government Association (LGA) has led a Civility in Public Life campaign, of which the “Debate Not Hate” campaign is an integral part.
- 1.3 The Debate Not Hate Campaign raises public awareness regarding the role of councillors in their communities, encourages healthy debate, and aims to improve the response and support for local politicians facing abuse and intimidation.
- 1.4 On 21 March 2023, a motion was approved by Council which endorsed the “Debate Not Hate” campaign and proposed a number of actions.
- 1.5 One of the actions was for the Constitution and Ethics Committee to consider a live action plan to mitigate the risks of intimidation and abusive behaviours towards members and officers, ensuring safety is prioritised while they fulfil Council duties. This action plan was endorsed by the Committee on 20 June 2023.

2. Main Issues

2.1 The live action plan below has been updated to reflect actions which have taken place since the last meeting.

| Issue | Action | Outcome | Responsible Officer | Date |
|--|---|---|----------------------------------|-----------------------------------|
| Ensuring members are able to access adequate support. | Raise awareness of the Employment Assistance Programme (EAP) scheme's availability to members. | A lunchtime and evening Member briefing session was held on Teams on 25 July 2023. Twelve members attended at lunchtime and four in the evening. The slides are available to members on the Virtual College operated by the Council's Learning and Development Team. | Assistant Director, HR Services | 31 August 2023 Complete |
| | Provide tailored personal support through Democratic and Members Services. | | Democratic Services Manager | 31 August 2023 |
| Equipping members with the right skills and knowledge to address issues. | Arrange a presentation from the police on dealing with harassment and abuse in public life and personal safety. | Two in-person training sessions were held at New Shire Hall with a former Cambridgeshire Constabulary police officer. Nine members attended the session on 16 June 2023 and five attended the session on 27 July 2023. | Democratic Services Manager | 30 September 2023 Complete |
| Protecting members | Remove home addresses from Registers of Interest on request. | The Member Services Officer has actioned, following approval by the Monitoring Officer. The information has been removed for four councillors. | Director of Legal and Governance | 31 July 2023 |

| | | | | |
|--|---|--|------------------------------|--------------|
| | Encourage reporting incidences of abuse to Democratic Services, with appropriate escalation methods in place. | | Democratic Services Manager | 31 July 2023 |
| | Provide appropriate security measures at Council meetings following risk assessment. | Democratic Services alert the Compliance Manager Resources if appropriate. | Compliance Manager Resources | Immediate |
| | Liaise with the police in relation to meeting arrangements. | | Compliance Manager Resources | Immediate |

3. “Debate Not Hate” – Ending abuse in public life

- 3.1 The LGA held a webinar on 26 September 2023 for Democratic Services Officers on the “Debate Not Hate” campaign. Some of the actions identified in the webinar form part of the above action plan, but other actions were raised for the committee to consider.
- 3.2 There are five key principles of good practice which form part of the “Debate Not Hate” campaign.
- (i) Zero-tolerance approach to abuse: establish and enforce a strict policy that sets clear expectations for interactions and promoting respectful debate.
 - (ii) Clarity of process and responsibility: define the process for raising concerns and assign responsible persons who are well equipped to support councillors.
 - (iii) Relationship with local police: foster strong relationships with police to improve coordination and advance mutual understanding of abuse of councillors and the police role in addressing it.
 - (iv) Tailored risk assessments: consider the needs of individual councillors and proactively identify risks through dynamic and periodic risk assessments.
 - (v) Prioritise councillor wellbeing: recognise and consider how your council can support councillor wellbeing and address the negative impacts of personal attacks and hurtful commentaries.

Zero-tolerance approach to abuse: establish and enforce a strict policy that sets clear expectations for interactions and promoting respectful debate

- 3.3 The committee may wish to consider developing a short and clear statement which sets out clear expectations for interactions with the public. The statement could be published on the Council’s website, which would enable members to use a link to the statement to advise members of the public if their behaviour is unacceptable and, as a last resort, to end all contact. The other option is to prepare a statement for members to use, if they so wish, on their online sites which sets out clearly the rules of engagement with members. An example from the LGA is attached at Appendix 1.

Clarity of process and responsibility: define the process for raising concerns and assign responsible persons who are well equipped to support councillors

- 3.4 The Democratic Services Manager is the single point of contact for reporting concerns and will escalate to the Monitoring Officer, if appropriate. A regular Member E-bulletin is being developed, in which this process can be publicised to members.

Relationship with local police: foster strong relationships with police to improve coordination and advance mutual understanding of abuse of councillors and the police role in addressing it

- 3.5 A strong relationship with the local police force is critical to ensuring that the police understand the specific experiences and challenges that elected members experience and to setting expectations with elected members as to when it is appropriate for police to get involved. The Compliance Manager Resources is the Council's direct contact with the local constabulary. The Democratic Services Manager, following consultation with the Monitoring Officer, will contact him if appropriate.

Tailored risk assessments: consider the needs of individual councillors and proactively identify risks through dynamic and periodic risk assessments

- 3.6 Officers recognise the role of the Council in monitoring local tensions and ensuring these factors are played into a dynamic risk assessment of risks against staff and elected members alike. Officers also have valuable information and a range of skills, such as health and safety, communications, community engagement and legal, that can help to identify and mitigate risks of everyday councillor activities, like engaging with the public and safely visiting locations in the local area. The committee may therefore wish to consider a generic risk assessment for all members, which can then be tailored accordingly to individual members.

Prioritise councillor wellbeing: recognise and consider how your council can support councillor wellbeing and address the negative impacts of personal attacks and hurtful commentaries

- 3.7 The Council has made the Employment Assistance Programme (EAP) scheme available to members, publicising it via two online training sessions. The link to the Virtual College, where a recording of the session and the slides are posted, will be publicised via the regular Member E-Bulletin.
- 3.8 It is vital to understand the needs of individual councillors, as they will not be homogenous across the Council. There are a number of approaches or combination of approaches that the committee may therefore wish to consider:
- Establishing a small working group of councillors and officers involving Democratic Services, legal, health and safety, and other relevant departments to identify gaps in support and share intelligence about common experiences.
 - Carrying out regular surveys of members to understand what incidents affect them and what aspects they particularly struggle with.
 - Creating open door or drop-in opportunities for individual councillors to speak to staff about concerns.
 - Establishing a wellbeing or councillor safety champion(s) per political group who can collect information from the range of members at the Council and pass this information on to staff.

- 3.9 The LGA has a guide for Councillors on handling harassment, abuse and intimidation available at the following link:

[Councillors' guide to handling harassment, abuse and intimidation | Local Government Association](#)

4. Source Documents

- 4.1 [Local Government Association - Civility in public life](#)
- 4.2 [Constitution and Ethics Committee - 20 June 2023](#)

Rules of engagement

Welcome to my page,
which aims to communicate
my activities as a councillor.

If you wish to be a part of this
online community, you must
agree to abide by this code of
digital engagement, which is
designed to keep everyone safe.



RULE 1

Debate and disagreement are welcome on this page, but only if expressed with courtesy, respect and politeness.



RULE 2

Posts should not contain abuse, harassment, intimidation or threats of any form.



RULE 3

Posts should not contain any form of discrimination – including racism, sexism, ageism, ableism, homophobia, transphobia or religious intolerance.



RULE 4

Posts should not spread false or unverified information.



RULE 5

For transparency reasons, users should not post anonymously.



If any of these rules are broken, page admins reserve the right to delete posts, block users and report content to the police if necessary.



It may not be possible to respond to all queries on this page due to time constraints – if you have specific enquiries or casework, please send directly to my official email.

Constitution and Ethics Committee Agenda Plan

The following are standing agenda items which are considered at every Committee meeting:

- Apologies for Absence and Declarations of Interest
- Minutes of previous meeting and Minutes Action Log
- Committee Agenda Plan

| Committee date | Agenda item | Lead officer | Deadline for draft reports | Agenda despatch date |
|----------------|--|---------------------|----------------------------|----------------------|
| 14/11/23 | Annual Budget Meeting – Business Plan Debate | E Duncan | 30/10/23 | 06/11/23 |
| | Cambridgeshire and Peterborough Joint Health and Wellbeing Board – Revisions to Terms of Reference | E Duncan | | |
| | Live Action Plan to Mitigate the Risks of Intimidation and Abusive Behaviours towards Members and Officers | J Atkin E Duncan | | |
| 23/01/24 | Disciplinary Procedure for Statutory Officers | E Duncan | 08/01/24 | 15/01/24 |
| | A Review of the Complaints Received Under the Members' Code of Conduct - End December 2023 | E Duncan | | |
| 26/03/24 | No reports currently scheduled | | 11/03/24 | 18/03/24 |
| 23/04/24 | Monitoring Officer Annual Report | E Duncan | 08/04/24 | 15/04/24 |
| | A Review of the Complaints Received Under the Members' Code of Conduct - End March 2024 | E Duncan | | |

Please contact Democratic Services (democraticservices@cambridgeshire.gov.uk) if you require this information in a more accessible format.

