

CONSTITUTION AND ETHICS COMMITTEE



Date: Tuesday, 26 September 2017

Democratic and Members' Services

Quentin Baker

LGSS Director: Law and Governance

14:00hr

Shire Hall

Castle Hill

Cambridge

CB3 0AP

Kreis Viersen Room

Shire Hall, Castle Hill, Cambridge, CB3 0AP

AGENDA

Open to Public and Press

- | | | |
|----------|--|----------------|
| 1 | Apologies for absence and declarations of interest | |
| | <i>Guidance on declaring interests is available at</i> | |
| | http://tinyurl.com/ccs-conduct-code | |
| 2 | Minutes – 20th June 2017 | 5 - 14 |
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| 4 | Revision of the Whistleblowing Policy | 33 - 48 |
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9 Date of Next Meeting

Tuesday 28 November 2017

The Constitution and Ethics Committee comprises the following members:

Councillor Mac McGuire (Chairman)

Councillor Anna Bradnam Councillor David Connor Councillor Lorna Dupre Councillor Roger Hickford Councillor Kevin Reynolds Councillor Jocelyne Scutt and Councillor Peter Topping

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact

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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 Chairman of the Council and political Group Leaders which can be accessed via the following link or made available on request: <http://tinyurl.com/cccfilm-record>.

Public speaking on the agenda items above is encouraged. Speakers must register their intention to speak by contacting the Democratic Services Officer 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 <https://tinyurl.com/CCCprocedure>.

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CONSTITUTION AND ETHICS COMMITTEE: MINUTES

Date: Tuesday 20th June 2017

Time: 2.00pm – 4.10pm

Place: Kreis Viersen Room, Shire Hall, Cambridge

Present: Councillors M McGuire (Chairman), C Boden (substituting for Cllr Hickford), A Bradnam, D Connor, L Dupré, K Reynolds, J Scutt and P Topping

Apologies: Councillors R Hickford

1. ELECTION OF VICE-CHAIRMAN/WOMAN

It was resolved to elect Councillor Kevin Reynolds as Vice-Chairman for the municipal year 2017-18.

2. DECLARATIONS OF INTEREST

None

3. MINUTES – 26th JANUARY 2017

The minutes of the meeting held on 26th January 2017 were confirmed as a correct record and signed by the Chairman.

4. A CHANGE TO THE COUNCIL'S CONTRACT PROCEDURE RULES FOR WHEN THE COUNCIL RECEIVES FEWER THAN THREE BIDS BACK FROM A COMPETITIVE PROCESS

The Committee received a report setting out a proposed change to the Contract Procedure Rules, to avoid the need to ask the relevant Committee for permission to read and evaluate the responses in cases where fewer than three bidders responded to a competitive tender process and the sum involved was above the Key Decision limit. The existing exemption process operated up to that limit and was readily auditable; above the Key Decision limit, it was harder for auditors to evidence that proper approval had been given by Committee to move forward with fewer than three bids.

Members noted that the proposal was solely to authorise three identified senior officers to give this approval to read and evaluate the responses; there was no question of removing the relevant Committee's role in seeking permission to procure goods, services or works if a Key Decision was involved, or of removing the Committee's role in seeking permission to award to the preferred bidder.

In discussion, it was suggested that any decision to proceed to evaluate bids should be communicated to the Chair and Lead Members of the relevant Committee, and to all members of General Purposes Committee (as the only Committee able to call in a decision). Without an amendment to this effect, opposition members would only become aware that fewer than three bids had been received at the stage when the Committee was asked to approve the award of the contract, too late to challenge the officer decision to read and evaluate the bids.

It was proposed by Councillor Dupré and seconded by Councillor Bradnam that the proposed amendment to paragraph 4.7 of Part 1 of the Contract Procedure Rules be amended to read (additional text to present paragraph 4.7 in bold, with the proposed further addition bold and underlined):

4.7 Exemptions over the Council's Key Decision Threshold

Exemption requests cannot be sought for exemptions equal to or above the Council's Key Decision threshold, **except where the minimum number of bids cannot be obtained following a competitive process (tender/call off from a framework etc.). In that case, written approval to read and evaluate the responses must be obtained from the Chief Officer for the area conducting the procurement and the Monitoring Officer and the Chief Finance Officer. Any such decision once made shall be communicated to the chair and lead members of the relevant Committee and to all members of General Purposes Committee**

On being put to the vote, the amendment was defeated.

It was resolved by a majority

- a) to support the proposal that whenever a competitive procurement receives fewer than three bids, written approval to read and evaluate the responses is obtained from the following three senior officers without the need for the relevant Committee to grant approval:
 - 1) The Chief Officer for the area conducting the procurement
 - 2) The Monitoring Officer
 - 3) The Chief Finance Officer
- b) to recommend to Council that paragraph 4.7 of Part 1 of the Contract Procedure Rules be amended to read (additional text in bold):

4.7 Exemptions over the Council's Key Decision Threshold

Exemption requests cannot be sought for exemptions equal to or above the Council's Key Decision threshold, **except where the minimum number of bids cannot be obtained following a competitive process (tender/call off from a framework etc.). In that case, written approval to read and evaluate the responses must be obtained from the Chief Officer for the area conducting the procurement and the Monitoring Officer and the Chief Finance Officer.**

5. REVISION OF THE TERMS OF REFERENCE FOR THE AUDIT AND ACCOUNTS COMMITTEE

The Committee received a report inviting it to consider proposed revised Terms of Reference for the Audit and Accounts Committee; these had been endorsed by the Audit and Accounts Committee at its meeting on 30th May 2017. Members noted that the Committee no longer had oversight of the Assurance Framework, and the opportunity had been taken, in drafting the amended committee terms of reference, to update and refresh them, putting the Committee's responsibilities under four key headings, and incorporating further revisions as a result of the Audit and Account

Committee's discussion of the draft. Internal Audit no longer produced the Assurance Framework; its content was now reflected in the Risk Register, because of the need to have a more integrated framework for finance, performance and risk.

Members examined the revised terms of reference, checking that various aspects of the previous document had been captured in the new version. In particular, concern was expressed at the omission of the previous reference to reports on the provision of internal audit services under S.151 of the Local Government Act 1972 and the Accounts and Audit Regulations 2003 (Regulation 6); if it had previously been considered necessary to refer explicitly to the legislation, why was this no longer needed.

Officers said that the view had been taken that it was better to have regard to readability when explaining the duties of the Committee, rather than citing legislation. The Monitoring Officer advised that there was no legal requirement to include such detail; it was more a matter of stylistic approach. Some authors of constitutional documents liked to include reference to every piece of enabling legislation, whereas his approach was not to include every legislative detail, though it could be helpful to cite legislation where there was a significant and clear statutory requirement.

The Chairman suggested that the matter be referred to the Audit and Accounts Committee for consideration, to check whether or not reference to legislation had been deliberately omitted and revisit the proposed amendment of point 4 of the current terms of reference; officers said that it would be helpful to have a view on whether legislation should be reflected throughout the document. As this was not a constitutional matter but a question of clarification, the Chairman asked that the result of the Audit and Accounts Committee's deliberations be circulated to all members of the Constitution and Ethics Committee by email.

In further discussion, attention was drawn to the removal of receipt of the relationship management report and the function of scrutinising the Council's response to issues raised (point 10 of the current terms of reference); concern was expressed at the removal of the scrutiny function. It was noted that overall the scrutiny function was still reflected in Part 2. Members were advised that this change of wording, removing scrutiny and instead referring to specific reports, was based on best practice guidance; the Committee still had a role providing scrutiny of the Council's performance, but internal audit referred to this activity as assurance rather than scrutiny. Point 10 had been broken down into proposed points 1.7 and 1.8 setting out the elements of the scrutiny of that aspect. It was the officer's understanding that a Relationship Management Report was no longer produced.

In answer to a question about the difference between overseeing (present point 17) and undertaking (proposed point 1.13) an annual review of the effectiveness of the system of Internal Audit, it was explained that the Audit and Accounts Committee was expected to play an active role in the review; that Committee was required to agree that an annual review take place and who was responsible for carrying it out.

Concern was expressed that proposed point 1.2 (To approve, but not direct, Internal Audit's annual plan of work...) suggested that the Committee could approve, but not amend, the plan of work proposed by Internal Audit; it appeared that an opportunity for members to influence the areas of activity on which the plan of work should concentrate was being lost. It was explained that Internal Audit needed to have independence to plan its work, but proposed point 1.12 (To suggest work for

Internal and External Audit) supplemented 1.2 and gave members the opportunity to suggest, but not dictate, work for Internal Audit. The Committee had a role in directing Internal Audit work, but was not responsible for directing it.

It was objected that 'suggest' and 'direct' did not have the same meaning, and there appeared to be no capacity for the Committee to require something to be done. Members asked that, if point 1.12 could not be changed, it should be numbered 1.3 and placed immediately after 1.2, so that it was clear that the Audit and Accounts Committee had an opportunity at least to suggest work for Internal and External Audit, if not to direct it. It was suggested that the new wording be accepted at present, but that there would be sufficient time for the Audit and Accounts Committee to reconsider this point, given that the Audit Plan for the following year was due to be presented to the Committee at its March meeting.

It was proposed by Councillor Boden and seconded by Councillor Connor that a second recommendation be added to that in the report:

to invite the Audit and Accounts Committee to consider the efficacy of the term 'but not direct' in point 1.2 and its relationship to 1.12, which said 'suggest', and to consider whether this wording was appropriate.

On being put to the vote, this amendment was carried unanimously.

The Monitoring Officer sought clarification of proposed point 2.1 of the terms of reference (To maintain an overview of the Council's Constitution in respect of contract procedure rules, financial regulations, codes of conduct etc.) because of its similarity to the terms of reference of the Constitution and Ethics Committee. He suggested it would be better to give responsibility to only one committee, to avoid the risk of different decisions being reached on the Code of Conduct. It was explained that maintaining an overview of the Constitution was included in the Audit and Accounts Committee terms of reference because it was the key basis on which all assurance work was built, though clarification was perhaps required that the Committee was not responsible for the Constitution; the Audit and Accounts Committee needed to assure itself that the Constitution was fit for purpose.

It was resolved unanimously:

- i) to recommend to Council that the Terms of Reference for the Audit and Accounts Committee be modified in accordance with the draft Terms of Reference set out at Annex B of the report before Committee
- ii) to invite the Audit and Accounts Committee to consider the efficacy of the term 'but not direct' in point 1.2 and its relationship to 1.12, which said 'suggest', and to consider whether this wording was appropriate.

6. COUNTY COUNCIL – PROPOSED CHANGES TO THE CONSTITUTION

The Committee received a report inviting it to consider proposed amendments to the Council's Constitution and, if appropriate, to recommend them to Full Council. The Committee's resolution on each proposed amendment is set out at the end of this minute.

Substitutes

The Chairman proposed an amendment to paragraph 2.2, to rectify a previous misunderstanding in the report on the number of substitute members. The Constitution currently permitted each group to nominate up to four substitute member of a committee; in the Chairman's view, it would be more appropriate for the number of substitutes for each group to equal the number of a group's members of the committee, rather than the rule suggested in 2.2 of "two-thirds, rounded up as appropriate". This would avoid the situation where, if for some reason no substantive members of a group with more than four seats on a committee were able to attend, fewer substitutes would be available than the group's number of seats. Councillor McGuire's proposal was seconded by Councillor Boden.

In discussion, members of the opposition groups pointed out that the proposed limitation on the number of substitutes would disadvantage the smaller groups, many of whose members were in full time work. If the sole permitted substitute for a group with only one seat on a committee was not able to act as substitute for the absentee member, that group would be wholly unrepresented on the committee. It was unlikely that all members of the largest group would be unable to attend at the same time, and finding two or three substitutes from a pool of four would be a lesser problem, though the largest group's wish to have an equal number of substitutes was understandable.

It was proposed by Councillor Dupré that the number of substitutes should be equal to the number of members on each committee, with the exception that there should be a minimum number of three substitutes for each political group. Members noted that this would address the concern identified in the report about the number of substitutes available for the Staffing and Appeals Committee. The Chairman accepted Councillor Dupré's proposal as a change to his suggestion that substitute numbers reflect number of substantive members on committee.

Policy and Service Committees

In discussion, it was suggested that it would be premature to recommend that the Commercial and Investment Committee and the Communities and Partnership Committee be classified as Policy and Service Committees, with the associated member allowances, until their remit became much clearer.

It was also suggested that the present arrangement whereby the Annual Meeting of Council received a short report on each Policy and Service Committee should be retained, particularly given the present reduction in the opportunities for opposition members to hold the ruling group to account. Although the report was not open to discussion at the Annual Meeting, it served as a concise, accessible summary for members, the media, and the public, and was of assistance to members when discussing and debating issues throughout the year.

Deputy Council Leader

No objections were raised to the proposal to recommend to Full Council that Article 7, paragraph 7.03 of the Council's Constitution be amended to reflect that the Vice-Chairman/woman of General Purposes Committee should be, ex-officio, Deputy Council Leader.

Lead Members

In discussion, it was pointed out that it was difficult to find members of the opposition groups who were readily available for daytime briefings; some of them were required to take unremunerated unpaid leave to attend other meetings and could not attend Lead Member briefings. It would be difficult to identify a briefing time that would be convenient to all involved; some members would need evening briefings, which would be inconvenient for officers, and for members who had evening commitments such as parish council meetings. It was suggested that opposition Lead Members be allowed to choose to be briefed together, but also that each group be allowed to make its own arrangements for briefings.

It was suggested that remuneration should not be an issue in relation to attendance at lead member briefings, because it had been accepted in drawing up the Members' Allowances Scheme that part of a Councillor's time was given free of charge as a community service. Given the reduction in staff numbers in recent years, it was better to reduce the demand on officer time by having only one lead member briefing. It was however pointed out that Chairs of Committees were remunerated for their duties, whereas there was no remuneration for the duties of Lead Members, making it more difficult for them to forego income in order to attend daytime meetings.

In answer to a member's question, it was confirmed that a Lead Member could invite another member of their group to an individual private and confidential briefing from a Director.

Council Functions

The proposed amendment to Constitution Part 3A Section 2(f) was received without comment.

Training

Members sought assurance that the proposal to remove the requirement to hold an annual training day for Chairmen/women, Vice-Chairmen/women and lead members would not downgrade the availability of training to opposition groups. It was explained that the day in August had proved inflexible and difficult to organise; each group was represented on the Member Development Panel, which decided on the provision and organisation of training.

Timing of Council Meetings

In discussion, it was suggested that the report gave no justification for the proposed change in timing of meetings of Full Council. Moving meetings to 10.30am would disadvantage members in full time employment, who would need to take a full day off work rather than half a day. This would also act as a disincentive to younger people standing for Council.

Commercial and Investment Committee Amendments to Terms of Reference

In discussion, one member urged that there be an ethical commercial framework, and that ethical commercial opportunities be maximised, and expressed concern at the implications of selling off property.

Local Transport Plan

In relation to the Local Transport Plan, members asked how the Council would feed its views in to the Combined Authority. The Chairman advised that this was a matter for the Board to decide. The Board was made up of the Leaders of the participating councils, and was due to receive a report on the Local Transport Plan at its June meeting. This could provide an opportunity to raise the question of how the councils contributed to the development of the Local Transport Plan; the County Council might consider doing so through the Highways and Community Infrastructure Committee.

Resolutions

Substitutes

It was resolved, one member abstaining:

to recommend to Full Council that instead of allocating up to four members of each political group as substitute members, the number of substitutes should reflect the proportionality of the committee, with a minimum of three substitutes for each political group.

Policy and Service Committees

It was resolved by a majority:

to recommend to Full Council that that the Commercial and Investment Committee and the Communities and Partnership Committee be classified as Policy and Service Committees

It was proposed by Councillor McGuire, seconded by Councillor Boden, and resolved by a majority, Councillors Bradnam, Dupré and Scutt voting against:

to recommend to Full Council that the Council Procedure Rules be amended to remove the requirement that the Annual Meeting receive a report on each Policy and Service Committee.

Deputy Council Leader

It was resolved unanimously:

to recommend to Full Council that Article 7, paragraph 7.03 of the Council's Constitution be amended to reflect that the Vice-Chairman/woman of General Purposes Committee shall be, ex officio, Deputy Council Leader

Lead Members

It was resolved by a majority:

to recommend to Full Council that Article 7, paragraph 7.05 of the Council's Constitution be amended to reflect that one briefing meeting shall be held for all opposition lead members to brief them on the agenda for future service

committee meetings and consider any other issues the officer may think appropriate.

Council Functions

It was resolved unanimously:

to recommend to Full Council that Part 3A – Responsibility for Functions, Section 2(f) of the Council's Constitution be amended to reflect the fact that Council also appoints the Chairman/woman and Vice-Chairman/woman of Commercial and Investment Committee and Communities and Partnership Committee, and the Chairman/woman of the Health and Wellbeing Board.

Training

It was proposed by Councillor McGuire and seconded by Councillor Boden and resolved unanimously:

to recommend to Full Council that Article 7, paragraph 7.06 of the Council's Constitution be deleted, removing the requirement to hold an annual training day for Chairmen/women, Vice-Chairmen/women and lead members.

Timing of Council Meetings

It was resolved by a majority, one member abstaining:

to recommend to Full Council that Council revert to the original start time of 10.30am for all full Council meetings.

Commercial and Investment Committee Amendments to Terms of Reference

It was resolved by a majority, two members abstaining:

to recommend to Full Council that the re-drafted terms of reference for the Commercial and Investment Committee be adopted, as set out in Appendix A of the report before Committee

Corporate Asset Management Plan and the Strategy Asset Development Strategy

It was resolved unanimously:

to recommend to Full Council that in relation to the Corporate Asset Management Plan and the Strategy Asset Development Strategy, Full Council should take into account the recommendation of the Commercial and Investment Committee rather than of General Purposes Committee

Local Transport Plan

It was resolved unanimously:

to recommend to Full Council that reference to approving the Local Transport Plan be removed from the Constitution.

7. ANNUAL REPORT ON WHISTLEBLOWING INCIDENTS

The Committee received a report summarising whistleblowing incidents for the period 2016/17.

Discussing the report, some members expressed concern that the Whistleblowing Policy seemed to have more to say about the Council's response to unfounded allegations than about the action to be taken should an allegation turn out to be legitimate. Others pointed out that there were positive actions indicated, and it could be assumed that any offence identified would be referred to the relevant authority. It was not possible to be prescriptive about the result of an investigation because the action taken would be depend on the circumstances of the case.

The Chairman asked members to advise the Monitoring Officer if they wished to have the Whistleblowing Policy as a matter for consideration at a future meeting of the Committee.

It was resolved to note the report.

8. A REVIEW OF THE COMPLAINTS RECEIVED UNDER THE MEMBERS' CODE OF CONDUCT TO 12 JUNE 2017

The Committee received a report setting out the number and nature of the complaints received about Members under the Code of Conduct from 18 January 2017 to 12 June 2017.

It was resolved to note the contents of the report.

9. FORWARD AGENDA PLAN

The Committee considered its forward agenda plan, adding the responses from the Audit and Accounts Committee to the agenda for its next meeting.

It was resolved to note the agenda plan.

10. DATE OF NEXT MEETING

The Committee noted that its next meeting was scheduled to take place at 2pm on Tuesday 26th September 2017.

Chairman

**PRINCIPLES AND PROTOCOLS FOR PROACTIVE COMMUNICATIONS WITH
MEDIA AND SOCIAL MEDIA OUTLETS**

To: **Constitution and Ethics Committee**

Meeting Date: **26 September 2017**

From: **Head of Communications and Information**

Purpose: **To adopt the principles and protocols for proactive communications with media and social media outlets.**

Recommendation: **The Constitution and Ethics Committee is asked to recommend to Council the approach and principles contained within the updated and revised media protocol for Cambridgeshire County Council for inclusion in the Council's Constitution.**

<i>Officer contact:</i>	
Name:	Christine Birchall
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1. BACKGROUND

- 1.1 Cambridgeshire County Council is committed to effective communications so that citizens of the county are well informed about the services that affect their lives every day and how these services are organised, led and developed. The local media - both traditional and increasingly well followed social media platforms - play a valuable role in Cambridgeshire life as they have the ability to reach large numbers of local residents.
- 1.2 Cambridgeshire County Council's Communications and Information team aims to provide an efficient and timely response to media enquiries and raise the positive public profile of the authority by actively promoting accurate and balanced coverage of its work and activities.
- 1.3 The proactive communications and marketing of the authority is led by the Head of Communications and Information, with two Senior Communications Managers leading on 'People' service and issues (People and Communities & Public Health) and two Senior Communications managers leading on 'Place' (ETE and Communities and Partnerships Committee).
- 1.4 To manage the demands of a 24 hour rolling news agenda, Cambridgeshire County Council provides a 24/7 on call emergency communications response service.
- 1.5 The Unit operates within the terms and spirit of a legal framework set out in the Local Government Act of 1986, which states that: "A local authority shall not publish any material which in whole, or in part, appears to be designed to affect public support for a political party". The Act defines publicity as "any communication, in whatever form, addressed to the public at large or to a section of the public".
- 1.6 The Unit operates within the national [Code of Recommended Practice on Local Authority Publicity](#) first published by the Government in August 1988 and revised in 2001 and 2011. The revised code states that publicity issued by local authorities should be lawful, cost effective, objective, even-handed, appropriate, have regard to equality and diversity and be issued with care during periods of heightened sensitivity.
- 1.7 In the event of any potential conflict, the Council's monitoring officer will be involved.

2. MAIN ISSUES

- 2.1 **No surprises/Members first.** All Members quoted or named on a release - e.g. Leader/Deputy Leader of the Council, committee chair, lead members, local member – will be sent news releases before they are sent to the media – so that they have time to digest and consider the issue prior to any media enquiry.
- 2.2 For the majority of news releases we aim to give named Members 12–24 hours' notice of the issue of a release on which they are named, on the understanding that these are not shared in advance of publication time.
- 2.3 Where this is not possible, on urgent news items linked to serious issues, releases will still be sent to Members a minimum of 30 minutes before they are issued, and the communications officer will phone the relevant Member(s) to check receipt.

- 2.4 All other Members will be sent links to news releases as they are issued to the Media. Every attempt will be made to make sure Members should not hear critical council information first from other sources.
- 2.5 **Members actively involved.** The content of all principal news releases will be shared and developed in draft with the Leader and/or appropriate Committee Chairman/woman.
- 2.6 **Staff informed.** Media releases will be agreed with the principal officers and distributed to them prior to release. Staff should not learn of changes to their services or employment from the media, and so information about their work will be shared with them in advance of media issue. Our news releases will also be posted on the internet as soon as published.
- 2.7 **Honest.** The team will never knowingly mislead the media on a story or issue. Communications staff are in a long-term relationship with the local media in particular and they must trust our counsel and respect our honesty of approach.
- 2.8 **Accessible and timely.** Staff are firm, friendly but polite in dealings with the media, always ensure contact numbers are accurate and appropriate and return calls efficiently to recognise competing pressures on deadlines etc. The timeliness of the response rate to media enquiries is recorded and a media officer is available to the media (and key departmental and political contacts) on a 24-hour basis, seven days a week.
- 2.9 **Fair.** The Unit does not routinely favour one media source over another. Where appropriate, staff will identify the relative importance of media sources and be able to clearly justify any strategy that promotes one over another. Where concerns are raised about the impartiality of a particular media source, these will be raised with the media outlet concerned initially, and if unresolved advice will be sought from the Chief Executive and monitoring officer.
- 2.10 **Prompt and courteous rebuttal:** Where there is a threat that inaccurate stories could damage the reputation of the Authority, the Communications Team will challenge the story at source, rather than waiting for it to be published. If inaccurate and damaging stories are published, the team will contact the source concerned and seek redress.

3. **ORGANISATION – Organising Our Approach to Communication**

- 3.1 It is proposed that information from CCC is organised in the following distinct ways:-
- 3.2 **News releases** – deal with substantial news matters that the council wants to promote, publicise or explain. They will often arise from items being raised or considered by Members, Member decisions, important visits, and matters of policy or a wide range of external matters. These will always carry contacts for political comment from all groups represented on committees in group size order.
- 3.3 **Public information notices** – provide important, factual information about normal day-to-day activities of the council. They include matters such as road works and closures, minor emergencies – such as the temporary closure of offices, schools or other premises to which the public normally have access and basic event information. These will carry officer or communications contacts only.

- 3.4 **News statements** – Written statements are principally used in respect of sensitive issues to be sure that the council's position cannot be open to possible misinterpretation or misrepresentation. These will carry communications contacts only.
- 3.5 **Reactive comments** - On reactive communications we still work on the principal of 'no surprises' but will also look to be proportionate– so if approached for comment on a significant issue affecting the council we will liaise with the most appropriate officer to develop the answer and seek comment or approval from the most appropriate councillor – usually the leader/deputy or most appropriate committee chair/vice chair.
- 3.6 Reactive statements will not usually be circulated to all Members, but where a written response is made linked to a significant issue or to council policy it will be sent to committee chairs/ political leads or local member(s) where appropriate.
- 3.7 If we are approached for comment on an ongoing issue where previous statements have been approved, or on a purely operation matter (dates, times, confirmation of issues, confirmation of responsibilities, follow up on proactive media releases or campaigns) we will not usually involve Members.
- 3.8 Our releases are targeted to the most relevant media outlets covering the geographical area or specialism, or channel most appropriate to the audience. The team will avoid issuing releases to all media outlets regardless of content as this form of blanket issue leads to loss of credibility.

Political Quotes and Named Media Contacts

- 3.9 Any quotes on matters relating to the development of County Council policies will always come from the appropriate Committee Chairman/woman or the Leader of the Council as appropriate. This principle will also apply to any letters written for publication.
- 3.10 Where it is appropriate to include a quote in other news releases from the appropriate elected Member(s). This may be the Chairman/Chairwoman of the council on civic matters, or the Leader of the Council on matters which relate to his or her leadership role, but will most often be the Chair or vice chairman/woman of the relevant committee with responsibility for the area concerned.
- 3.11 Where a news release specifically relates to an issue affecting a particular area or geographical division, the communications unit will advise the local Member (s) early, their contact details will be added to the release, beneath that of the political leads, and they will be sent the release prior to or simultaneously with distribution to the local media.
- 3.12 Where the release is non-controversial, and concerns a local issue that a local Member is particularly connected or involved with, they may be invited to include a quote in addition to, but not supersede, a quote from the committee chair.
- 3.13 All quotes should be cleared with the named person before use.
- 3.14 In the event of situations where an appropriate Member's quote is needed and the Member is unavailable for checking, the appropriate group Leader will be contacted for guidance. Officers will not normally approve Members' quotes except where a time constraint makes this inevitable in which case at least one member of SMT in addition to communications must approve the quote.

- 3.15 In all cases, the names and contact details for the lead members of all political groups on the committee will be included on our press releases, in order of group size.
- 3.16 The relevant departmental/officer contact will also be included, followed by that of the communications main number and out of hours' contacts.
- 3.17 The Chairman/Chairwoman of the County Council (and in his/her absence, the Vice Chairman or Chairwoman) has an important part to play in ceremonial events carried out on behalf of the County Council. Their activities will be published and publicised as appropriate.
- 3.18 Officers will respond to media requests for interviews/information on matters involving the giving of background technical or practical operational information, non-policy matters, matters involving the implementation of policies or matters of professional responsibility.
- 3.19 Officers can be used as lead spokesmen or women when the County Council's reputation can be enhanced by use of a perceived 'expert' e.g. the Director of Public Health talking about health issues.
- 3.20 In both cases above, approval will be sought from appropriate lead member.

Social Media and the News

- 3.21 A separate strategy and protocol governs the council's use of social media channels.
- 3.22 The council will use social media platforms, including Twitter and Facebook, to promote its news, in addition to conventional media. The communications unit is responsible for the council's main channels and has the discretion to write and post material without clearance, provided it is in line with the social media protocol, based on an approved approach around a subject and the council's key messages.
- 3.23 We would remind staff and Members who use social media that reporters and the public could view their posts and use them in stories. We would encourage them (and provide training where necessary) to ensure that their social media activity could not be used to damage the reputation of the council.

Source Documents	Location
Media Protocol	Appended to report

Principals and protocols for proactive communications with media and social media outlets

Background and Introduction

Cambridgeshire County Council is committed to effective communications so that citizens of the county are well informed about the services that affect their lives every day and how these services are organised, led and developed. The local media – both traditional and increasingly well followed social media platforms- play a valuable role in Cambridgeshire life as they have the ability to reach large numbers of local residents.

Cambridgeshire County Council's Communications and Information team aims to provide an efficient and timely response to media enquiries and raise the positive public profile of the authority by actively promoting accurate and balanced coverage of its work and activities

The proactive communications and marketing of the authority is led by the Head of Communications and Information, with two Senior Communications Managers leading on 'People' service and issues (CFA& Public Health) and two Senior Communications managers leading on 'Place' services and issues (ETE and Partnership & Communities issues)

To manage the demands of a 24 hour rolling news agenda Cambridgeshire County Council provides a 24/7 on call emergency communications response service

Key contacts for the Communications Team are

- Main team phone contact: 01223 699381
- Main email contact communications@cambridgeshire.gov.uk
- Out of Hours emergency contact number : 07833 480 348

The legal framework

The Unit operates within the terms and spirit of a legal framework set out in the Local Government Act of 1986, which states that:- "A local authority shall not publish any material which in whole, or in part, appears to be designed to affect public support for a political party".

The Act defines publicity as "any communication, in whatever form, addressed to the public at large or to a section of the public".

The Unit operates within the national Code of Recommended Practice on Local Authority Publicity first published by the Government in August 1988

and revised in 2001 and 2011. The revised code states that publicity issued by local authorities should be lawful, cost effective, objective, even-handed, appropriate, have regard to equality and diversity and be issued with care during periods of heightened sensitivity.

In the event of any potential conflict, the council's monitoring officer will be involved.

Principles

A number of fundamental principles underpin our work

No surprises/Members first. All Members quoted or named on a release - e.g. Leader/deputy leader of the council, committee chair, lead members, local member - will be sent news releases before they are sent to the media – so that they have time to digest and consider the issue prior to any media enquiry.

For the majority of news releases we aim to give named Members 12 – 24 hours notice of the issue of a release on which they are named, on the understanding that these are not shared in advance of publication time.

Where this is not possible, on urgent news items linked to serious issues, releases will still be sent to Members a minimum of 30mins before they are issued to the media, and the communications manager or advisor will telephone the relevant Member(s) to check receipt.

All other Members will be sent links to news releases as they are issued to the Media. Every attempt will be made to make sure Members should not hear critical council information first from other sources.

Members actively involved. The content of all principal news releases should be shared and developed in draft stages with the Leader and /or appropriate committee chair.

Staff informed. Media releases will be agreed with the principal officers and distributed to them prior to release. Staff should not learn of changes to their services or employment from the media, and so information about their work will be shared with them in advance of media issue. Our news releases will also be posted on the internet as soon as published.

Honest. The team will never knowingly mislead the media on a story or issue. Communications staff are in a long-term relationship with the local media in particular and they must trust our counsel and respect our honesty of approach.

Accessible and timely. Staff are firm, friendly but polite in dealings with the media, always ensure contact numbers are accurate and appropriate and return calls efficiently to recognise competing pressures on deadlines etc. The

timeliness of the response rate to media enquiries is recorded and a media officer is available to the media (and key departmental and political contacts) on a 24-hour basis, seven days a week.

Fair. The Unit does not routinely favour one media source over another. Where appropriate, staff will identify the relative importance of media sources and be able to clearly justify any strategy that promotes one over another. Where concerns are raised about the impartiality of a particular media source, these will be raised with the media outlet concerned initially, and if unresolved advice will be sought from the Chief Executive and monitoring officer.

Prompt and courteous rebuttal: Where there is a threat that inaccurate stories could damage the reputation of the Authority, the Communications team will challenge the story at source, rather than waiting for it to be published. If inaccurate and damaging stories are published, the team will contact the source concerned and seek redress

Our work with the media:

A) Answering media enquiries:

We will answer relevant media enquiries as soon as possible, especially as stories are now posted online quickly. If an issue does not involve the council, or the council has no comment to make, we will advise the reporter promptly. If the communications unit believes that a deadline is too tight, we will negotiate an extension if we can. We encourage Members and officers to respond to the communications unit as quickly as possible, as missing deadlines and being “unavailable for comment” can harm the council’s reputation.

b) Approach to aggressive enquiries:

The communications team will answer journalists’ enquiries courteously and will expect this to be reciprocated. However, if journalists are aggressive or rude, we reserve the right to politely end a phone conversation and request that the enquiry is made by email.

c) Use of FOIs:

We will encourage the media to submit enquiries, rather than FOIs and remind them that FOIs are answered within a formal timescale, which can be slower than submitting an enquiry through the usual communications route. All FOIs will be sent to the communications team’s leads for FOI enquiries, who will sense check proposed responses, especially those submitted by the media- preparing statements where necessary. We work with the FOI team and departments to reduce the number of FOI requests, by encouraging the proactive publication of key information to regular schedules.

D) Press releases:

We will email press releases to all relevant local, regional and national media contacts and will update our distribution list when we become aware of new outlets or journalists. We will also post releases online on the day of publication and, where appropriate Tweet links to them and post them on Facebook, if that is judged to be the best way to reach an audience.

e) Briefings:

We will always attempt to accommodate journalists' requests for briefings with key Members or officers, provided there are no issues around confidentiality or sensitivity. Briefings can add important context and detail to stories, helping to achieve a more balanced result for the council.

F) Council meetings:

The communications team will work closely with departments in the development of relevant committee papers, and even if this is not required departments will pass reports to main committees through the key comms contacts for information as early as possible to reduce the risk that there will be insufficient time to prepare proactive communications or context around sensitive information

The media and public are free to film, record or photograph council meetings, provided that they do not disrupt proceedings. We encourage broadcasters, as a courtesy, to inform the communications unit in advance of any meetings they intend to record or film, due to the size of their equipment, so that we can suggest which part of the room they can film from. CCC live tweets from Full Council and posts the coverage from its You Tube channel

g) Campaigns/Consultations.

The team will work with departments and council committees to develop an annual campaigns plan to market and promote the councils key objectives. It will also provide communications support to consultation and engagement related to major council projects. These activities will use market segmentation to reach the most appropriate audiences and be based on Citizen First: Digital first principles wherever possible.

3. Organisation

3a. It is proposed that information from CCC is organised in the following distinct ways:-

News releases – deal with substantial news matters that the council wants to promote, publicise or explain. They will often arise from items being raised or considered by Members, Member decisions, important visits, and matters of policy or a wide range of external matters. These will always carry contacts for political comment from all groups represented on committees in group size order

Public information notices – provide important, factual information about normal day-to-day activities of the council. They include matters such as road works and closures, minor emergencies – such as the temporary closure of offices, schools or other premises to which the public normally have access and basic event information. These will carry officer or communications contacts only

News statements –. Written statements are principally used in respect of sensitive issues to be sure that the council's position cannot be open to possible misinterpretation or misrepresentation. These will carry communications contacts only

Reactive comments - On reactive communications we still work on the principal of 'no surprises' but will also look to be proportionate– so if approached for comment on a significant issue affecting the council we will liaise with the most appropriate officer to develop the answer and seek comment or approval from the most appropriate councillor – usually the leader/deputy or most appropriate committee chair/vice chair.

Reactive statements will not usually be circulated to all Members, but where a written response is made linked to a significant issue or to council policy it will be sent to committee chairs/ political leads or local member(s) where appropriate.

If we are approached for comment on an ongoing issue where previous statements have been approved, or on a purely operation matter (dates, times, confirmation of issues, confirmation of responsibilities, follow up on proactive media releases or campaigns) we will not usually involve Members.

Our releases are targeted to the most relevant media outlets covering the geographical area or specialism, or channel most appropriate to the audience. The team will avoid issuing releases to all media outlets regardless of content as this form of blanket issue leads to loss of credibility.

3b Political quotes and named media contacts

Any quotes on matters relating to the development of County Council policies will always come from the appropriate Committee Chair or the Leader of the

Council as appropriate. This principle will also apply to any letters written for publication.

Where it is appropriate to include a quote in other news releases from the appropriate elected Member(s). This may be the Chairman/Chairwoman of the council on civic matters, or the Leader of the Council on matters which relate to his or her leadership role, but will most often be the Chair or vice chairman of the relevant committee with responsibility for the area concerned.

Where a news release specifically relates to an issue affecting a particular area or geographical division, the communications unit will advise the local Member (s) early, their contact details will be added to the release, beneath that of the political leads, and they will be sent the release prior to or simultaneously with distribution to the local media.

Where the release is non-controversial, and concerns a local issue that a local Member is particularly connected or involved with, they may be invited to include a quote in addition to, but not supersede, a quote from the committee chair.

All quotes should be cleared with the named person before use.

In the event of situations where an appropriate Member's quote is needed and the Member is unavailable for checking, the appropriate group Leader will be contacted for guidance. Officers will not normally approve Members' quotes except where a time constraint makes this inevitable in which case at least one member of SMT in addition to communications must approve the quote.

In all cases, the names and contact details for the lead members of all political groups on the committee will be included on our press releases, in order of group size.

The relevant departmental/officer contact will also be included, followed by that of the communications main number and out of hours contacts.

The Chairman/Chairwoman of the County Council (and in his/her absence, the Vice Chairman or Chairwoman) has an important part to play in ceremonial events carried out on behalf of the County Council. Their activities will be published and publicised as appropriate.

Officers will respond to media requests for interviews/information on matters involving the giving of background technical or practical operational information, non-policy matters, matters involving the implementation of policies or matters of professional responsibility.

Officers can be used as lead spokesmen or women when the County Council's reputation can be enhanced by use of a perceived 'expert'. E.g. the Director of Public Health talking about health issues.

In both cases above, approval will be sought from appropriate lead member

Social media:

A separate strategy and protocol governs the council's use of social media channels.

The council will use social media, including Twitter and Facebook, to promote its news, in addition to conventional media. The communications unit is responsible for the council's main channels and has the discretion to write and post material without clearance, provided it is in line with the social media protocol, based on an approved approach around a subject and the council's key messages.

We would remind staff and Members who use social media that reporters and the public could view their posts and use them in stories. We would encourage them (and provide training where necessary) to ensure that their social media activity could not be used to damage the reputation of the council.

Protocols

Issuing of agendas

All committee papers will be made available to the media a minimum of five working days before the meeting concerned and posted on the Internet by Democratic Services.

Media attendance at meetings

Members of the media must be provided with any additional papers which may have been issued on the day.

Motions and questions

Motions and questions from individual councillors shown on the agenda will not be publicised through County Council news releases in the interests of fairness.

Reporting debates

If a member of the media hasn't attended a meeting and wants to find out what was said during a debate, officers will direct them to the appropriate Committee Chair directly and offer to provide opposition contacts. Staff from the Communications Unit will report back to the media on any decision/recommendation reached.

Journalists are free to tweet or post from council meetings and members of the Communications Unit will only tweet factual decisions made by committees and Full Council depending on the newsworthiness of the issue being debated.

Live broadcasting from council meetings is permitted and the council itself live streams the full council meetings on its YouTube channel which the communications team will publicise.

Embargoes

Embargoes should be used sparingly. This would most typically be when a news release is linked to a launch event; when an issue of confidentiality requires it, or when a third party requires it (e.g. announcement of award or additional funding).

Embargoes are not legally enforceable and are adhered to by general local agreement.

Election purdah

The County Council follows the guidelines set out in the Code of Practice on Local Government publicity, “the period between the notice of election and the election itself, publicity relating to individuals involved directly in the election should not be published by local authorities during this period unless expressly authorised by or under statute”.

No County Councillors will be quoted in any releases during the period outlined above.

Wider publicity initiatives also need to be considered carefully during this period. The Code states that: local authorities should not publish any publicity on controversial issues or report views or proposals in such a way that that identifies them with any members or groups of members.

Any prospective candidates (parliamentary, county and district) requesting visits to County Council premises must always be treated equally. County Council staff should not be included in any photographs that candidates might arrange, to avoid any impression of one party being favoured over another. County council offices should not be used to host political events during this time, unless these premises are available for general hire

Further guidance to officers and members is available from the document on Election Guidance agreed with Chief Officers and Group Leaders before the May 2017 elections.

Letters for Publication

The Communications team will, in consultation with appropriate service director or Committee Chair consider reply to letters and articles about the Council or its services that appear in the press and help draw up letters for publication, if appropriate. In such cases, the Committee Chair concerned will sign the letter or agree who else is best to respond

Group Leaders will consider and deal with any response to letters or comments which are clearly political in nature and, while the Communications

team may flag these to the relevant group, they will not be involved in the drawing up or issuing of any response.

Our staff Code of Conduct states that all contact with the media should be conducted through, or in consultation with, the Communications Team. If an employee wishes to write to a newspaper where they can be identified as a Council employee, they must first obtain permission from their senior manager or Head of Service.

Dealing with Confidential Items

Under the Local Government Act 2007 a written record of all key decisions and other executive decisions made by the council must be made publicly available 'as soon as practicable' after the meeting, even if the decision has been taken as an exempt item). This could be when the minutes of the meeting are available, but could equally be much sooner after the decision has been taken.

The Communications Team will always seek to give the outcome of an issue taken 'below the line' – unless there are over-riding reasons not to do so, such as the handling of personal and sensitive issues affecting staff or clients, or financial and commercial issues.

In these circumstances, officers should liaise with the department concerned before deciding the best course of action to follow.

Emergency Communications

Cambridgeshire County Council has a statutory duty under the Civil Contingencies Act 2004 to warn and inform local people in emergency situations to help minimise risk and harm.

The Communications team is a member of the Cambridgeshire and Peterborough Warn and Inform Communications subgroup

In emergency circumstances, the normal media approvals process may not apply. The Communications Team Leader will approve media activity in consultation with the Chief Executive or relevant 'gold; or 'silver; command

Media/Social Media Training

In an organisation comprising 61 elected Members and 5000 FTE employees it would be impossible and impractical for all communications to be produced and issued by the communications team

And while all high profile and sensitive communications or those most closely supporting the council's objectives, will be led and developed by the team - part of its role will be supporting elected Members and staff of Cambridgeshire

County Council who have responsibility to be good communicators as part of their role.

The Communications and Information Team will provide training to councillors and staff which encourages a positive relationship in communicating with their communities and with the media and provides information on the best ways to get their information across.

Communication on Partnership issues or Projects

Partnership working is an increasingly common feature of our activities

Communications protocols must be established with contractors at the outset of major contracts and this will be the responsibility of the lead department/officer involved in the contract, but should be overseen by the Communications dept.

The protocols (template available) will set out responsibilities for which organisation takes the communications lead, frequency and type of communications, sign off and key spokespeople.

The template will, ensure that:-

- Cambridgeshire County Council's role or contribution is identified appropriately and information to media or local residents includes quotes from named County Council Members or Officers.
- The Cambridgeshire County Council logo is included with others on any documentation
- The text of information is shared in draft stages between partners and approved by the relevant communications leads prior to distribution.
- The method, manner and timing of distribution are also agreed in advance by the relevant communications leads.
- Depending on the size of the project or partnership the relevant County Council Committee Chair will be consulted as usual but may not be quoted where it is agreed that the County Council is not the lead agency and in the interests of producing succinct media releases.
- Wherever possible, news releases should be issued on joint paper, with contact details for each organisation.

Greater Cambridge Partnership (City Deal)

Where the Greater Cambridgeshire Partnership is concerned, agreed communication protocols are already in place, agreed by the Partnership

Board on which all partners are represented. The key elements are as follows:-

- *Pro-active communications will, as far as possible, be planned and devised in consultation with the relevant partner agency/ies, via the subject experts (usually an officer) or, in the event of unavailability, through the communications lead.*
- *Requests for information and/or comments to members/officers will clearly state deadline for response.*
- *Pro-active and re-active statements will, as far as possible, be seen and approved by the GCP Chair/Vice-Chair who will act as talking heads.*

Inevitably, to maximise an opportunity or to avoid a communications vacuum, there will be occasions when a statement or response needs to be issued dynamically or swiftly to deadline. It is recognised that, on such occasions, the GCP Programme Director, Communications Manager and/or partners' communications leads will have authority to speak on behalf of the GCCD, in good faith, and adhering to the communications principles set out in their strategy, ensuring the Chair/Vice-Chair and relevant officers are kept informed.

On occasion, it will be relevant for the lead agency to issue a communication which is linked to the GCP programme. In this event, the agency should liaise with the GCP Communications Manager/Programme Director prior to publication.

Combined Authority

An agreed communications protocol will be developed with the Combined Authority.

Communications Support for Schools

Practical support for schools is offered in times of particular difficulties or success. This is a traded service and the support can be in the form of general advice and guidance, media releases, supporting with letters to parents, fielding media calls, media briefings/news conferences.

In general terms:-

The content of all media releases or statements will be cleared in advance with the Head teacher and, if possible, the Chair of Governors.

Any media release will make it clear it is being issued on behalf of the school concerned and headed with the name of the school governing body as appropriate.

Relevant school contact names and numbers will be included on any release except where prior agreement has been reached that communications team staff should field all calls in the first instance.

The Member and director with responsibility for Education will be kept fully informed on media issues affecting schools in line with the 'no surprises' principle.

Where schools are not buying into the traded service, communications support will still be offered – at an agreed hourly rate.

REVISION OF THE WHISTLEBLOWING POLICY

To: **Constitution and Ethics Committee**

Date: **26th September 2017**

From: **LGSS Chief Internal Auditor**

Electoral Division(s): **All**

Forward Plan Ref: **N/A** Key decision: **No**

Purpose: **To approve the revised Whistleblowing Policy.**

Key issues: **N/A**

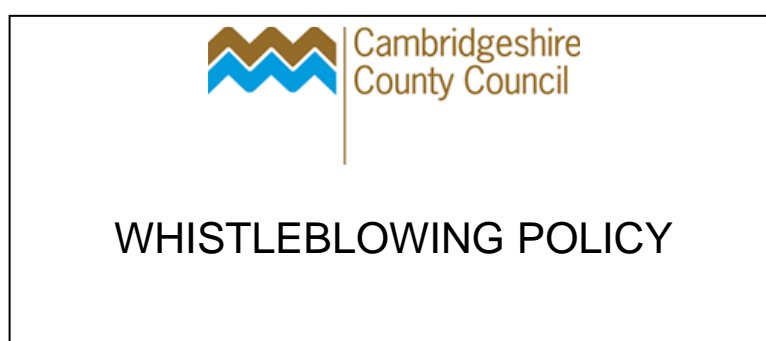
Recommendations: **The Constitution and Ethics Committee is asked to approve the revised Whistleblowing Policy. This has already been endorsed by the Audit and Accounts Committee at its meeting of the 30th May, 2017.**

<i>Officer contact:</i>	
Name:	Duncan Wilkinson
Post:	LGSS Chief Internal Auditor
Email:	Duncan.Wilkinson@Milton-keynes.gov.uk
Tel:	01908 252089

1. BACKGROUND

- 1.1 In accordance with best practice, the Council has updated the Whistleblowing Policy to address the issues arising from the Bribery Act using a standard approach that is applied across other authorities.
- 1.2 The policy was endorsed by the Audit and Accounts Committee on 30 May 2017.
- 1.3 This report is supported by the Whistleblowing Policy (Appendix 1)

Source Documents	Location
Bribery Act 2010	http://www.legislation.gov.uk/ukpga/2010/23
Audit and Accounts Committee report and minutes	https://cmis.cambridgeshire.gov.uk/ccclive/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/682/Committee/9/Default.aspx



Policy Owner	
Name:	Duncan Wilkinson
Post:	LGSS Chief Internal Auditor
Email:	Duncan.Wilkinson@Milton-keynes.gov.uk
Tel:	01908 252089

THE COUNCIL WANTS YOU TO BE CONFIDENT THAT YOUR CONCERNS WILL BE TAKEN SERIOUSLY AND THAT YOU WILL BE PROTECTED FROM VICTIMISATION OR BULLYING OR HARASSMENT IF YOU RAISE A CONCERN.

If you have a concern about the Council's services please read this policy. You may think this policy does not apply to the concern you have – IT DOES, we can give confidential advice about ANY concern you may have regarding the Council and its services.

If you want to informally / confidentially discuss this policy or your concerns you can contact:

Gillian Beasley (Chief Executive) on 01223 728595
Chris Malyon (Deputy Chief Executive) on 01223 699241
Duncan Wilkinson (Chief Internal Auditor) on 01908 252089 or email
Duncan.Wilkinson@milton-keynes.gov.uk

Or

- Janet Maulder, Head of HR Advisory – 01223 699495
- Martin Cox, Director of HR - 07921 092743
- Sue Grace, Director of Customer Service and Transformation – 01223 699248
- Sue Stagg, Head of Health Safety & Wellbeing - 07721522896
- Quentin Baker, LGSS Director Law & Governance (Council's Monitoring Officer) - 01223 727961

Or

The Whistleblowing hotline on 01908 252525

Or

Public Concern At Work on 0207 404 6609 or helpline@pcaw.co.uk
PCAW are an independent charity and information provided to PCAW is protected under the Public Interest Disclosures Act. Their helpline is where their lawyers provide confidential advice free of charge.

The details of such discussions will not be released to anyone else within the Council without your express consent and meetings can be held at a time and place of your choosing.

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1. INTRODUCTION

- 1.1 This policy seeks to provide a process that gives anyone with a concern about the Council the confidence to bring that concern to our attention.
- 1.2 Cambridgeshire County Council operates within legal requirements and regulations and expects its employees to co-operate in this by adhering to all laws, regulations, policies and procedures. Any employee becoming aware of inappropriate conduct is obliged and encouraged to report this activity. This policy also applies to contractors, consultants, partners and agency staff and other stakeholders including Councillors.
- 1.3 Employees are often the first to realise that there may be something seriously wrong within the Council. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Council. Councillors, customers and stakeholders are also in a position to identify concerns that affect Council services and need to be addressed.
- 1.4 Individuals with a concern may fear that they will be victimised or harassed if they raise the concern. In these circumstances it may feel easier to ignore the concern rather than report what may be a suspicion of malpractice.
- 1.5 The Council is committed to the highest possible standards of openness, probity and accountability. In line with that commitment the Council encourages employees, customers, contractors, employees of subsidiaries, stakeholders or any other person with serious concerns about any aspect of the Council's work to come forward and voice those concerns. This process is commonly referred to as "whistle blowing".
- 1.6 It is recognised that certain cases will have to proceed on a confidential basis but in accordance with the Freedom of Information Act this policy seeks to provide a transparent method for dealing with concerns. Whistleblowers can have confidence through this policy that they have the fullest protections afforded by the Public Interest Disclosures Act.
- 1.7 Specifically the code of practice set out in this policy makes it clear that staff and others can make reports without fear of reprisals and sets out what protections are in place under this policy. This Code is intended to encourage and enable concerns to be raised within the Council so that they can be addressed, rather than overlooking problems or raising them outside the Council.
- 1.8 All Officers, Councillors and partners have a responsibility to protect the Council's interests through the proper adherence to this policy.

2. AIMS AND SCOPE OF THIS POLICY

2.1 This code of practice aims to:

- Encourage and enable any person to feel confident in raising serious concerns and to question and act upon concerns
- Provide avenues for any person to raise concerns and receive feedback on any action taken
- Ensure everyone making a referral receives a response to their concerns
- Describe how to take the matter further if dissatisfied with the Council's response
- Reassure anyone making a referral that they will be protected from reprisals or victimisation.

2.2 For the avoidance of doubt, if you have concerns that any person may be being mistreated / abused you can discuss your concerns in confidence with those listed on the front cover of this policy.

2.3 There are existing procedures in place to enable staff to lodge a grievance relating to their own employment, customers to complain about the service they receive and regarding concerns whether Councillors have breached the National Code of Conduct. This policy should not be used for such concerns, however, advice can be obtained from the contacts on the front cover of this policy if you have any doubts.

2.4 The Whistleblowing Policy is intended to cover concerns that fall outside the scope of the above procedures. A concern may be about:

- sexual, physical or emotional abuse of clients or other individuals
- conduct which is an offence or a breach of law
- disclosures related to miscarriages of justice
- health and safety risks, including risks to the public as well as employees
- damage to the environment
- unauthorised use of public funds
- action that is contrary to the Council's financial procedures or contract regulations
- possible fraud, corruption or financial irregularity
- action that is against the Council's Standing Orders and policies
- practice that falls below established standards or practice
- other improper or unethical conduct.

2.5 The concern may be something that makes a person feel uncomfortable in terms of known standards, their experience or the standards to which they believe the Council subscribes. If in doubt, please contact either a named contact on the front cover of this policy or Public Concern at Work to have a confidential discussion.

2.6 For the avoidance of doubt, this policy applies to all employees, contractors, consultants, schools and agency staff and other stakeholders who are acting on behalf of, or in partnership with, the Council.

2.7 Any disclosure of information that, in the reasonable belief of the worker, is made in the public interest, shall be deemed a qualifying disclosure.

2.8 This policy incorporates the provisions that are required from the Public Interest Disclosure Act 1998.

3. HOW TO RAISE A CONCERN

- 3.1 When an individual wishes to raise a concern, he or she will need to identify the issues carefully. They must be clear about the standards against which they are judging practice. Whilst not exhaustive they should consider the following:
- Is it illegal?
 - Does it contravene professional codes of practice?
 - Is it against government guidelines?
 - Is it against the Council's guidelines?
 - Is it about one individual's behaviour or is it about general working practices?
 - Does it contradict what the employee has been taught?
 - Has the individual witnessed the incident?
 - Did anyone else witness the incident at the same time?
- 3.2 Concerns from staff should normally be raised with their immediate manager, in the first instance. Similarly, non-employees (e.g. agency workers or contractors) should raise a concern in the first instance with their contact within the Council, usually the person to whom they directly report.
- 3.3 In some cases, the nature or sensitivity of the concern means that this may not always be appropriate. If a person feels they cannot raise their concern with their immediate manager they are able to go directly to the Chief Internal Auditor. They may also do so if, having raised a concern with the immediate manager/contact, they feel there has not been an appropriate response.
- 3.4 Others wishing to raise a concern should consider whether to raise that concern directly with the relevant senior officer of the service involved or use the Council's existing Complaints process. Details of all such contacts can be found on the Council's website
- 3.5 Given the possible contractual issues, Annex A of this policy gives specific guidance to contractors and partners of the Council in raising such concerns.
- 3.6 Concerns may be raised verbally or in writing. Anyone who wishes to make a written report should give the background and history of the concern (giving relevant dates if possible) and the reason why they are particularly concerned about the situation.
- 3.7 If the individual wishes, they may ask for a private meeting with the person to whom they wish to make the complaint and can be accompanied if they wish. An employee may invite their trade union or professional association representative or work colleague to be present during any meetings or interviews in connection with the concerns they have raised.
- 3.8 When making a complaint verbally, the individual should write down any relevant information and date it. They should keep copies of all correspondence and relevant information.
- 3.9 It should be noted that often the earlier a concern is expressed the easier it is to take appropriate action.
- 3.10 The individual should ask the person to whom they are making the complaint what the next steps will be and if anything more is expected from them.
- 3.11 Although a person is not expected to prove the truth of an allegation that is made, it will be necessary to demonstrate that there are sufficient grounds for concern. It is not

necessary for any person to undertake investigations into their concern prior to contacting the Council, as this may undermine any ultimate action needing to be taken.

- 3.12 Advice and guidance on how specific matters of concern may be pursued can be obtained from the Council's Internal Audit Service. Phone 01908 254230 or email internal.audit@cambridgeshire.gov.uk. Alternatively staff may wish to get confidential advice from their trade union or professional association
- 3.13 Staff may wish to consider discussing their concerns with a colleague first and may find it easier to raise the matter if there are two (or more) of them who have had the same experience or concerns.
- 3.14 Where a person feels that they cannot approach anyone in the Council, they may wish to report their concerns through the external independent reporting scheme called Public Concern At Work. PCAW are an independent charity providing a legal advice service designated by the Bar Council and information provided to PCAW is protected under the Public Interest Disclosures Act. Their helpline number is 0207 404 6609. Their email is helpline@pcaw.co.uk where their lawyers provide confidential advice free of charge.

4. SUPPORTING THE INDIVIDUAL TO RAISE A CONCERN

4.1 Harassment or Victimisation

- 4.1.1 The Council recognises that the decision to raise a concern can be difficult, not least because of the fear of reprisals.
- 4.1.2 The Council will not tolerate harassment or victimisation and will take action to protect individuals who raise concerns. This does not mean that if the individual is already the subject of disciplinary or redundancy procedures, that those procedures will be halted as a result of raising a concern under this policy.
- 4.1.3 It is the clear instruction to those officers (through this formal policy) of the Council who liaise with whistleblowers that they shall not release information to identify a whistleblower to any person within the Council and will only release those details to a proper person outside the Council when there is a legal requirement to do so, e.g. a court order. The only exception to this shall be where the whistleblower themselves gives written permission to do so.
- 4.1.4 Any person applying pressure upon such officers to identify whistleblowers shall be subject to the same provisions as outlined in 4.1.6 below.
- 4.1.5 Where a whistleblower alleges they are / have been victimised / harassed as a result of raising a concern that matter shall be reported to Chief Executive or S151 Officer. Such allegations shall be investigated by the Chief Internal Auditor or LGSS Director of Law and Governance. Where the investigations may identify (either indirectly or directly) the whistleblower the way forward shall be agreed with the whistleblower and any resultant action confidentially reported to the Chair of the Audit & Accounts Committee shall be informed and consulted.
- 4.1.6 Each case will be considered on its merits. Any incident of victimisation or harassment of someone who has made a referral under this policy would normally be considered:

- A matter of Gross Misconduct if done by an employee of the Council
- A matter for the Council to consider termination of a contract if done by or at the request of a contractor. If there are concerns that a contractor is victimising, or has victimised, a whistleblower an independent review may be requested
- A matter that would be referred to the Constitution & Ethics Committee if undertaken by or at the request of a Councillor
- A matter that could affect the service provided to a customer if done by or at the request of that customer.

4.2 Confidentiality

4.2.1 All concerns will be treated in confidence and every effort will be made not to reveal the identity of the person highlighting the concern if that is the wish of the individual.

4.2.2 Individuals are encouraged to put their name to any allegation. The Council will do its best to protect the individual's identity when they do not want their name disclosed. It must be appreciated that the investigation process may reveal the source of the information, and a statement by the individual raising the concern may be required as part of the evidence.

4.3 Anonymity

4.3.1 Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Council. In exercising this discretion, the factors to be taken into account would include :

- Seriousness of the issue
- Credibility of the concern
- Likelihood of being able to obtain the necessary information

4.4 Untrue Allegations

4.4.1 Any individual who makes an allegation which is not subsequently confirmed by the investigation, will have no action taken against them and will continue to have protection under this policy from victimisation or harassment.

4.4.2 If, however, an individual makes malicious or vexatious allegations, action may be taken against them.

5. HOW THE COUNCIL WILL RESPOND

- 5.1 The action taken by the Council will depend on the nature of the concern. Where appropriate, the matters raised may:
- be investigated by management, Internal Audit, or other appropriate person
 - be referred to the External Auditor
 - be referred to the police
 - form the subject of an independent inquiry.
- 5.2 In order to protect individuals and the Council, an initial investigation will be carried out to decide whether a full investigation is appropriate and, if so, what form it should take. Concerns or allegations, which fall within the scope of specific procedures (for example, child protection or discrimination issues), will normally be referred for consideration under those procedures.
- 5.3 It should be noted that some concerns may be resolved by agreed action without the need for investigation. Equally some issues may be investigated without the need for initial enquiries. If urgent action were required, this would be taken before any investigation is conducted.
- 5.4 The Council will write to the person raising the concern within 7 -10 working days (i.e. initially the individual or representative with whom the report was lodged as set out in Sections 4.1 and 4.2):
- acknowledging that the concern has been received
 - indicating how it proposes to deal with the matter
 - giving an indication of when a final response or update will be provided
 - telling the person whether any initial enquiries have been made
 - supplying the person with information on staff support mechanisms and
 - telling the person whether further investigations will take place and, if not, why not.
- 5.5 Every effort will be made to resolve the matters raised as soon as possible, in the interests of the Council, the person raising the concern and the person(s) being investigated.

- 5.6 The amount of contact between the officers considering the issues and the person raising the concern will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information may be sought from the person raising the concern.
- 5.7 Where any meeting is arranged, staff have the right, if they so wish, to be accompanied by a trade union or professional association representative or a work colleague who is not involved in the area of work to which the concern relates.
- 5.8 The Council will take appropriate steps to minimise any difficulties, which a person may experience as a result of raising a concern and provide advice and support should they be required to give evidence, e.g. at a disciplinary hearing. Such support may include the ability to give evidence via video link.
- 5.9 The Council accepts that the person raising a concern needs to be assured that the matter has been properly addressed. Thus, subject to legal constraints, the person raising the concern will be kept informed as the investigation progresses unless they have requested otherwise. At the very least they should receive an update on the investigation by the date implied by the estimated response time given in section 5.4

6. HOW THE MATTER CAN BE TAKEN FURTHER

- 6.1 This policy is intended to provide an avenue to raise concerns within the Council. The Council hopes that those using this process will be satisfied with the way their concerns are treated and any investigations that may be carried out. However, if they are not satisfied and feel it right to take the matter outside the Council, the matter can be raised with:
- Public Concern At Work on 0207 404 6609 or helpline@pcaw.co.uk
 - Relevant professional bodies or regulatory organisations
 - A solicitor.
- 6.2 In taking advice from sources outside the Council, a person must ensure that, so far as possible, it is raised without confidential information being divulged and would, other than in exceptional circumstances, be expected to have exhausted the internal routes available first.
- 6.3 Any individual has the right and responsibility to refer a concern to the Police if they suspect a criminal act.

7. ROLES AND RESPONSIBILITIES

- 7.1 The responsibility for the operation of this policy rests with the Executive Directors to ensure all staff are fully aware of its provisions. The Chief Internal Auditor must be advised of all referrals (but in a form which does not endanger confidentiality) so that an annual report to the Council's Audit & Accounts Committee can be compiled.
- 7.2 Investigations should be undertaken by appropriate officers with expertise and will be dependant upon the issue raised. Internal Audit and Human Resources will jointly ensure that investigations are swift and effective and undertaken by someone with relevant skills and experience. Internal Audit and Human Resources (HR) will act as the corporate services who maintain records of all referrals and subsequent investigations received by the Council.

Additionally:

- 7.3 Internal Audit will lead on all financial referrals, including those where there are significant financial implications to an allegation. The Audit team will ensure that concerns raised through the informal process are logged and trends identified.
- 7.4 Human Resources will lead on allegations regarding serious misconduct of Council employees. The HR team will advise and support employees involved in the investigation process, to ensure that such processes are fair and supportive to all those involved.
- 7.5 The Monitoring Officer will lead on allegations regarding misconduct of Councillors.
- 7.6 Employees: In all contracts of employment there is an implied understanding of mutual trust and confidence between the employer and employee. All employees, therefore, have a responsibility to raise concerns about work and they may do so in the manner described in this policy.
- 7.7 Line managers: Must create an open and fair culture within their area of responsibility and ensure that staff concerns are listened to and action taken where necessary. Line managers are responsible for ensuring that there is a safe environment for staff to raise their concerns and that there is no retribution as a result of someone raising their concerns.
- 7.8 Audit & Accounts Committee: is responsible for assuring the Council that the risks across the Council are being identified and managed. It is therefore responsible for ensuring that this policy is robust and for ensuring that the principles within this policy are upheld.

8. HOW THE POLICY WILL BE MONITORED

- 8.1 The Council has a responsibility for registering the nature of all concerns raised and to record the outcome. The Council's Internal Audit Service will produce an annual report to the Audit and Accounts Committee, which will identify any patterns of concern and assess the effectiveness of the policy.
- 8.2 This policy will be publicised via the Council's Website and specifically:
 - 8.2.1 Every new employee will be advised to familiarise themselves with the policy when joining the Council;
 - 8.2.2 Every contract will require the contractor to communicate the policy to their staff and adopt its provisions when working for the Council;
 - 8.2.3 Every employee of a Limited Liability Partnership (LLP) owned by the council will be provided a copy of the policy when joining the LLP, together with training on the whistleblowing procedures of their organisation and the circumstances where each policy will apply;
 - 8.2.4 All newly elected members should be provided a copy of the policy.
- 8.3 A public leaflet will be produced and placed in the Council's public areas to promote the policy and invite feedback.

- 8.4 An annual survey will be undertaken by Internal Audit to gauge the awareness of the policy and individual whistleblowers will be asked more detailed questions about their perceptions of the policy in practice.

9. REVIEW

- 9.1 This procedure will be kept under review and any amendments will be subject to consultation with staff representatives. It will be reviewed by the Council's Audit and Accounts Committee on an annual basis.

Procedure for Contractors / Partners, including employees of subsidiaries

1. As a first step contractors should normally raise concerns with their manager, who will then inform the lead Council officer who is dealing with that particular contract. If contractors do not have a manager, they should raise their concerns direct with the lead Council officer. This depends on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if contractors believe that their manager or lead Council officer is involved, they should approach the LGSS Director of Law and Governance at the Council direct. Otherwise, the lead Council officer receiving notification of concerns under this policy will inform the LGSS Director of Law and Governance that a confidential report has been received and provide a copy. If the concern relates to financial irregularities or failures of financial controls the lead Council officer receiving the report will also immediately notify the Chief Internal Auditor.
2. Concerns may be raised verbally or in writing. Individuals who wish to make a written report are invited to use the following format:
 - the background and history of the concern (giving relevant dates if possible);
 - the reason why the individual is particularly concerned about the situation.
3. It should be noted that often the earlier a concern is expressed the easier it is to take appropriate action.
4. Advice and guidance on how specific matters of concern may be pursued can be obtained internally from the Internal Audit Service. Alternatively contractors may wish to get confidential advice from their trade union or professional association.
5. Contractors may wish to consider discussing their concerns with a colleague first and may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.
6. Contractors may invite their trade union or professional association representative or work colleague to be present during any meetings or interviews in connection with the concerns they have raised.

General Survey

- (1) Have you thought about using the Whistleblowing Policy in the last 12 months?
- (2) If yes, but you didn't make a referral, what prevented you?
- (3) On a scale of 1-10 (with 10 being perfect) how would you rate the policy in meeting the needs of someone who has concerns about the Council's services?
- (4) If you answered less than 10, what can we do to change so that we would score 10?

Specific Survey for those who have raised a concern

- (1) On a scale of 1-10 (with 10 being perfect) how good do you feel the Council's Whistleblowing arrangements are?
- (2) If you answered less than 10, what can we do to improve so that we would have scored a 10?
- (3) Were you able to obtain sufficient advice before making your referral?
- (4) Did you use normal management structures or the corporate officers?
- (5) Were your concerns properly addressed?
- (6) Were the implications of a referral (e.g. confidentiality and timescales) explained to you?
- (7) Were you provided with regular feedback (if you wanted it)?
- (8) If you asked for confidentiality was that effectively provided?
- (9) Do you feel you suffered harassment, victimisation or any other negative consequence from raising your concern?

**PROPOSAL FOR THE CORPORATE PARENTING BOARD TO BECOME A
SUB-COMMITTEE OF THE CHILDREN AND YOUNG PEOPLE COMMITTEE**

To: **Constitution and Ethics Committee**

Meeting Date: **26 September 2017**

From: **Lou Williams, Service Director, Children's Services,
People and Communities Directorate**

Purpose: **The Committee is asked to consider a proposal that the
Corporate Parenting Board become a sub-committee of
the Children and Young People Committee**

Recommendation: **The Constitution and Ethics Committee is asked to
recommend to Council the proposal that the Corporate
Parenting Board become a sub-committee of the Children
and Young People Committee, and suggested Terms of
Reference, in order to strengthen the status and
accountability of Corporate Parenting in the Council.**

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1. BACKGROUND

- 1.1 A raft of legislation including the Children Act 1989 and Children Act 2004 have successively strengthened public bodies' responsibilities to looked after children. Statutory Guidance issued by the Department for Education in 2012 also specifically laid out the statutory roles of Director of Children's Services and the Lead Member for Children's Services to cover both the social care and education services of the local authority. These individuals should provide strong leadership and ensure that there is a clear line of accountability for children's well-being. They have particular responsibility for vulnerable groups of children, including those for whom they are corporate parents. The Lead Member should provide *political* leadership whilst the Director of Children's Services should provide *professional* leadership.
- 1.2 Although not a statutory requirement, most local authorities have established a group of elected members to oversee the corporate parenting function of the local authority. All councillors and council officers share corporate parenting responsibility and cannot abdicate this responsibility in favour of those they see as being more central, but this does not mean that everyone has the same role
- 1.3 Cambridgeshire County Council established a Corporate Parenting Board comprising elected members nominated by the Children and Young People's Committee, invited officers and representatives from the Voices Matter looked after children's group.

2. MAIN ISSUES

- 2.1 In Cambridgeshire the role of the Corporate Parenting Board (CPB) has been to ensure that the whole Council and partner agencies have a joint commitment to Corporate Parenting in order to achieve continuing improvements in the lives and outcomes for looked after children, young people and care leavers. The role of the Board has been to
 - ensure that the Council fulfils its responsibilities to Looked After Children and Care Leavers in accordance with the Corporate Parenting Strategy 2015-2018 and the Council's Pledge to Looked After Children
 - to oversee the effective consultation and engagement of children and young people and carers in the planning and delivery of services
 - To receive regular reports on the provision of services for Looked After children and care leavers - as required in legislation and fulfilling the purpose of monitoring and offering advice
 - To offer advice and monitor a range of outcomes for looked after children and care leavers

The current Terms of Reference are attached at **Appendix 1**.

- 2.2 Functioning in the current way, the Board does experience variable engagement and participation. This presents a risk to the evaluation and scrutiny that the Council delivers in how it is performing to looked after children and care leavers. The Board does not have clear decision making powers in the same way a Committee of the council would. Currently the Board would struggle to evidence to children, care leavers and Ofsted how its activity has made a tangible difference to outcomes for children, or how services are delivered.

2.3 Corporate parenting activity needs to be strengthened by

- An increased effectiveness of the corporate parenting function through challenge, scrutiny and clear decision making supported by good performance data and outcomes reporting.
- Consistent and clear engagement in the corporate parenting agenda by officers across the council (including other Directorates), Elected Members and partners.
- Greater join-up by all parts of the Council and in all committees of the Council in thinking about how decisions affect those children in the council's care.
- Greater consideration as to how the voices of children and care leavers are heard and considered as part of Corporate Parenting processes, including engagement by Elected Members and Officers with the Children in Care Council (Voices Matter).

3. PROPOSAL

- 3.1 It is proposed that the Corporate Parenting Board becomes a sub-committee of the Children and Young People (CYP) Committee. This would clarify and strengthen arrangements for oversight and decision making in respect of corporate parenting by having clear accountability to the CYP Committee, a scheme of delegated authority and framework for decision making in respect of Corporate Parenting.
- 3.2 It is proposed that the membership of the sub-committee would consist of Five Elected Members with Two co-opted non-voting young people's representatives.
- 3.3 The proposed terms of reference are attached at **Appendix 2**

Source Documents	Location
Constitution	https://www.cambridgeshire.gov.uk/council/council-structure/council-constitution/

Terms of Reference

Corporate Parenting Partnership Board
and Corporate Parenting Working Group

1.0 Purpose and Aims

- 1.1 To improve the lives of infants, children & young people who are Looked After by, or are care leavers of, Cambridgeshire County Council.
- 1.2 To seek outcomes for our Looked After children and young people that every good parent would want for their own children –“if this were my child...”, if this were my baby, if this were my son/daughter moving into independence.
- 1.3 To ensure that the whole Council and Partner Agencies have a joint commitment to Corporate Parenting in order to achieve continuing improvements in the lives and outcomes for looked after children, young people and those who are care leavers.
- 1.4 Elected Councillors have a crucial role in making sure that the interests of all Looked After infants, children and young people come first in all aspects of their work. Councillors set the strategic direction of the Council's services and determine policy and priorities for the local community within the overall objectives set by Government.

All Councillors should be prepared and ready to champion the interests of Looked After infants, children and young people in their community.

2.0 Principles and strategic overview

Cambridgeshire County Council will work to the following principles when carrying out its responsibilities as corporate parent:

- all aspects of infants, children and young people's lives are considered - not only those parts which have led to a period of separation from home;
- looked after children and young people are provided with care and support, access to good health care and education according to their needs;
- looked after children and young people are encouraged to participate in decision making and contribute to appropriate plans about their lives, and that these plans are rigorously recorded and acted upon;
- mechanisms for consultation and participation are positively promoted for looked after children and care leavers and that the Council actively listens and responds to the views and experiences of these children and young people, including those with disabilities and very young children;
- the achievements and successes of looked after children and care leavers are positively recognised and celebrated;
- continuity in the lives of children who are being looked after are promoted so as to reduce or where possible eliminate, disruption;
- young people are provided with help to leave care and support into independence, recognising that most young people do not leave home until they are in their 20s and continue to return frequently.

3.0 Corporate Parenting Action Plan

The strategy will form an action plan under the headings:

Outcome1: Looked After Children fulfil their educational potential

Outcome 2: Care leavers successfully gain employment

Outcome 3: Looked After Children have good health and wellbeing

Outcome 4: Looked After Children and care leavers are well equipped to be parents

Outcome 5: Cambridgeshire Looked After Children and young people placed outside the county are not disadvantaged

4.0 Terms of reference

- 4.1 The role of the Corporate Parenting Board is to ensure that the Council fulfils its responsibilities to Looked After Children and Care Leavers in accordance with the Corporate Parenting Strategy 2015-2018 and the Council's Pledge to Looked After Children.
- 4.2 Corporate Parents including Members, Officers and Partners are to oversee the effective consultation and engagement of children and young people and carers in the planning and delivery of services.
- 4.3 To receive regular reports on the provision of services for Looked After children and care leavers - as required in legislation and fulfilling the purpose of monitoring and offering advice.
- 4.4 To offer advice and monitor:
 - plans, strategies or policies for Looked After children, young people and Care Leavers to ensure performance a) realises the objectives of the Corporate Parenting Strategy and b) fulfils statutory requirements
 - The commissioning and use of placements outside the Council area for the accommodation and/or education of all looked after children.
 - Placement stability
 - The outcome targets for educational attainment, and other associated activities in relation to looked after children's educational achievement are achieved.
 - The outcome targets for LAC health – including health assessments – are achieved and will include psychological health, substance use, sexual health, teenage pregnancy.
 - To ensure children in care are able to participate in plans for their care and developments for service planning and delivery.
 - Permanency Planning Monitoring group to report on timeliness of permanent placements
 - Themes from Regulation 44 visits and matters arising
 - Feedback from Advocacy and Independent Visitor Services
 - Relevant information and actions arising from Serious Case Reviews and management reviews to ensure learning is translated into improved practice
- 4.5 To oversee and monitor the work plan for children in and Not in Education, Employment and Training and apprenticeship schemes within the Council and with its contractors.

5.0 Membership of the Corporate Parenting Partnership Board

5.1

Elected Councillors:

Cabinet Member for Children and Young People, Chairperson – Councillor Lis Every, supported by Councillor Ann Hay and Councillor Adela Costello

Advice from the Head of Democratic and Members Services is that the Corporate Parenting Partnership Board (CPPB) does not have to be politically proportionate. However, the membership and representation of the group will ultimately need to be agreed by the Leader of the Council.

All newly elected Members will receive an induction to Corporate Parenting and their responsibilities. All elected Members are expected to champion the interests of Looked After infants, children and young people in all aspects of their work in the community.

Children and young people in care and Care Leavers will attend every other meeting.

5.2 **CYPS:**

- Interim Executive Director – Wendi Ogle-Welbourn
- Interim Service Director – Theresa Leavy
- Director of Learning - Keith Grimwade
- Service Director, Strategy and Commissioning – Meredith Teesdale
- - Sarah-Jane Smedmor
- Head of LAC – Fiona Mackirdy
- Head of Disability Services – Sasha Long
- Head of Safeguarding – Jitka Kohoutova
- Head of Children in Need – Fiona Van Den Hout
- Head of Safeguarding and Standards (Interim) Lisa Reid
- Participation Manager – Michelle Dean
- Head of Clinical Psychology – Rachel Watson
- Area Team Manager Youth Offending – Tom Watt
- Performance and Development Manager Youth Service – Jeanette Perkins
- Head of Commissioning – Helen Carr
- Service Development and Commissioning Manager – Jacqui Barry
- Head of Virtual School – Jo Pallett

5.3 **Cambridgeshire NHS:**

- Head of Commissioning for Children's Health and Wellbeing, Cambridge & Peterborough Councils - Janet Dullaghan

- Senior Public Health Manager – Lin Guo
- Cambridgeshire Clinical Commissioning (CCG) – Nicola McLean
- Designated Lead LAC Nurse - Deborah Spencer
- - Nick White
- General Manager Children Services CAMH – Sarah Spall

5.4

5.5 **Cambridgeshire and Peterborough Foundation Trust (mental health) :**

- Assistant General Manager CPFT Children and Young People's Services -

5.6 **Foster Carer representative**

- To be advised

5.7 **Co-opted members:**

- Housing representative – to be advised
- HR and work experience/apprenticeship co-ordinator – Andy Sanders
- Principle Educational Psychologist – Helen Phelan
- Detective Superintendent - Lorraine Parker
- Other members may be co-opted as appropriate

5.8 **Children and Young People and Care Leavers**

Each member of the Corporate Parenting Partnership Board shall nominate a deputy who will attend in their absence, if appropriate and subject to the agreement of the Chair

Officers from within the Corporate Parenting Partnership Board services/agencies will be available to offer support and give guidance and advice as required

5.9 The Corporate Parenting Partnership Board shall be subject to annual review

6.0 **Membership of Corporate Parenting Steering Groups**

6.1 Chair of the Corporate Parenting Steering Groups will be:

- Jo Pallett - Looked After Children fulfil their educational potential
- Jeanette Perkins/Mark Cowdell - Care leavers successfully gain employment
- Deborah Spencer - Looked After Children have good health and wellbeing
- Jo Sollars/Claire Betteridge - Looked After Children and care leavers are well equipped to be parents
- Head of Commissioning (to be appointed) Cambridgeshire Looked After Children and young people placed outside the county are not disadvantaged

Updates on the progress on each of the action plans, including statistical data will be presented in writing in advance of Corporate Parenting Board meetings

7.0 Frequency and conducting of meetings

7.1 Corporate Parenting meetings will be divided between:

- i) the strategic Partnership Board to meet every 3 months
- ii) The Corporate Parenting Steering Groups to meet no less than every three months

Meetings will be timed to fit with the meetings of Voices Matter (Children in Care Council) to ensure flow of information between the groups

7.2 CPP Board meetings will be chaired by the Lis Every or in her absence, Councillor Anne Hay and Councillor Adela Costello. In their absence, the Board will be chaired by Interim Service Director Theresa Leavy

7.3 The Corporate Parenting Partnership Board has no quorum. Administration will be provided by Children's Social Care

- Co-ordination of agenda preparation
- Convening of meetings
- Publication and circulation of agendas and supporting papers at least five working days in advance
- Taking and distribution of minutes
- Monitoring and progressing actions agreed by the Corporate Parent Working Group

The agenda will be agreed by the CPP Board.

7.4 The CPP Board will report to the Overview and Scrutiny Committee and to Voices Matter (Children in Care Council).

3.1 CORPORATE PARENTING SUB-COMMITTEE

The Children and Young People Committee shall establish a Corporate Parenting Sub-Committee with the following membership and powers:

Membership

Any five members (including substitutes) of the Children and Young People Committee, subject to political proportionality. The Chairman/woman and Vice-Chairman/woman of the Committee shall be selected and appointed by the Children and Young People Committee.

Two non-voting co-opted young people with recent, direct experience of being looked after by, or receiving services as a care leaver from Cambridgeshire County Council. The usual rules for substitution as set out in the Council Procedure Rules shall apply.

Overview of Functions

The Sub-Committee has delegated authority to exercise all the Council's functions relating to the delivery, by or on behalf of, the County Council, of Corporate Parenting functions.

Delegated Authority	Delegation/Condition
Authority for exercising management, oversight and delivery of services to looked after children and care leavers in relation to their care, wellbeing, education and health, including delivery of the Council's Pledge to looked after children.	
Authority for the functions and powers conferred on or exercisable by the County Council as Local Authority in relation to Corporate Parenting.	
Authority for working with the Virtual School in relation to raising standards of attainment and developing education, employment and training opportunities for looked after children, former looked after children and care leavers.	
Authority for exercising management, oversight and delivery of services to looked after children, former looked after children and care leavers including <ul style="list-style-type: none">• District and Countywide Early Help and Social work services• Fostering and adoption services• Commissioning of external services• Residential and outreach services• Contact services	

Delegated Authority	Delegation/Condition
Authority for ensuring mechanisms for consultation and participation are positively promoted for looked after children and care leavers and that the Council actively listens and responds to the views and experiences of these children and young people, including those with disabilities and very young children.	
Authority to receive regular reports on the provision of services for Looked After children and care leavers - as required in legislation and fulfilling the purpose of monitoring and offering advice.	
Authority for working with the Clinical Commissioning Group and health providers to ensure delivery of services to meet health needs including health assessments and plans, emotional health, sexual health, substance misuse and teenage pregnancy.	

COUNTY COUNCIL – PROPOSED CHANGES TO THE CONSTITUTION

To: Constitution and Ethics Committee

Meeting Date: 26th September 2017

From: LGSS Director of Law & Governance
and Monitoring Officer

Purpose: To consider amendments to the Council's Constitution.

Recommendation: The Constitution and Ethics Committee is asked to
consider amendments to the Constitution and recommend
any changes to full Council, if appropriate.

<i>Officer contact:</i>	
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1. COMBINED AUTHORITY BOARD & OVERVIEW AND SCRUTINY COMMITTEE

- 1.1 At its meeting on 14th February 2017, Council approved the protocol attached at **Appendix 1** to the report, for inclusion in the Council's Constitution, to enable the Council's appointee to the Combined Authority, and its appointees to the Combined Authority Overview and Scrutiny Committee, to provide a written report to each meeting of full council.
- 1.2 Full Council has received reports from the Combined Authority Board and Overview and Scrutiny Committee at its meetings in March and July. At the last meeting, questions were directed solely at the Council's representative on the Board and did not always cover what had been considered by the Board at its recent meetings.
- 1.3 It is therefore proposed to reduce the time allocated for questions to 40 minutes and divide the time between the Council's representatives on the Board and Overview and Scrutiny Committee. There will therefore be 20 minutes for Councillors to ask questions for a response by the Council's appointee on the Combined Authority, and 20 minutes to ask questions for a response by its appointees to the Combined Authority Overview and Scrutiny Committee. The proposed revised protocol is attached at **Appendix 2**.
- 1.4 The Combined Authority has agreed to prepare a generic report summarising the decisions made by all its formal committees for use by all local authorities within its area.
- 1.5 It is proposed that the content of the questions should be relevant to the decisions of the Combined Authority Board and Overview and Scrutiny Committee, as set out in the generic report provided.
- 1.6 The Committee may wish to consider whether to require questions to be notified in advance in order to ensure this session is as effective as possible.

2. ARTICLE 4 – THE FULL COUNCIL

- 2.1 The Council's Policy Framework is set through the Business Plan and the following statutory and local plans, as set out in the Constitution at **Appendix 3**.
- 2.2 The adoption or approval of a number of plans is by law reserved to Full Council. However, the Committee is asked to consider whether General Purposes Committee is the most appropriate committee to make the recommendation to Council. For example, the Cambridgeshire and Peterborough Minerals and Waste Development will be considered by Economy and Environment Committee. The current wording in the Constitution would mean General Purposes Committee considering it at the end of the process, which would duplicate the work already carried out by Economy and Environment Committee. It is proposed that the following wording should be added – or relevant Policy and Service Committee (see bold in Appendix 3).

3. PROTOCOL ON MEMBER/OFFICER RELATIONS

- 3.1 A provision in the Council's Constitution has the potential to create obstacles to the effective operation of the Council. The provision in question is found in the Protocol on Member/Officer relations which in turn is found in Part 5.3 of the constitution.

In summary the provision relates to the circumstances in which officers may attend meetings of elected members to which only members from one party have been invited. These provisions are contained within Paragraph 6 of the protocol. Paragraph 6.2, set out below, includes a condition that officers may only attend such meetings on condition that they are held '*on County Council Premises*'. It also states that on the invitation of a Group Leader, an Executive or Corporate Director or his/her nominee may attend an approved political party group meeting to give factual information about an issue which is currently or will shortly be debated by a Council body.

3.2 This paragraph has been in the protocol for many years but may well have been overlooked in successive constitutional reviews. The condition relating to Council premises is problematic for the following reasons;

- i) Firstly, due to the programme to dispose of Council property over the years it is becoming increasingly difficult to comply with this condition in a technical sense because the amount of meeting space owned by the Council is diminishing.
- ii) Secondly, the wording is ambiguous in that it does not clearly differentiate between ownership and control. The Monitoring Officer is of the view that a building that was leased or hired by the Council would fulfil this condition.

It is proposed to amend this condition so as to provide greater flexibility to reflect changing circumstances

3.3 The condition relating to the attendance of officers is also problematic. The Monitoring Officer is of the view that the Chief Executive or Deputy Chief Executive or Monitoring Officer should be present when any other officer is invited to attend a political party group meeting. This is to ensure that condition 6.3 as detailed below is adhered to.

6.3 Officer support in these circumstances must not extend beyond providing information in relation to matters of Council business. Officers must not be involved in advising on matters of party business. The observance of this distinction will be assisted if officers are not expected to be present when matters of party business are discussed.

3.4 The proposed changes outlined above are as set out in **Appendix 4**.

4. DECISION REVIEW PROCEDURE RULES

4.1 The Council, at its meeting, on 23 May 2017, agreed to remove Section 6.1 Decision Review and Part 4.5 - Decision Review Rules. It also agreed to add the following to the delegated authority list:

- Authority for eight members of General Purposes Committee to initiate a review of a decision taken by a Policy and Service Committee by submitting a request for review to the Monitoring Officer or Chief Executive before the expiry of 3 full working days from the date on which the decision notice was published *[final detailed wording for inclusion in the Constitution will be provided following the meeting under the authorisation to the LGSS Director Law and Governance]*.

- 4.2 There is a need to set out in the Constitution how the new decision review process will operate. The section underlined in **Appendix 5** explains the process of decision review. **Appendix 6** is a new addition and explains the Decision Procedure Rules.
- 5. CAMBRIDGESHIRE COUNTY COUNCIL APPROACH TO PUBLIC CONSULTATION ON THE BUSINESS PLAN**
- 5.1 General Purposes Committee, at its meeting on 19 September, will be considering a proposal for the 2018/19 Business Planning consultation as recommended by the Communities and Partnership Committee.
- 5.2 It will also be considering a recommendation to Council (via Constitution and Ethics Committee) that the terms of reference of the Communities and Partnership Committee be amended to give it responsibility for the Council's Consultation Strategy and its approach to future Business Planning consultation
- 5.3 If the recommendation at 5.2 is agreed by General Purposes Committee, Constitution and Ethics Committee will need to consider the amendment to the terms of reference of the Communities and Partnership Committee as set out in **Appendix 7** in bold italics.

Source Documents	Location
Council's Constitution	http://tinyurl.com/Constitution-CCC

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 issues 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 Council's appointee on the Combined Authority, and its two appointees to the Combined Authority Overview and Scrutiny Committee, will each prepare a short paper for inclusion in the agenda. These three reports shall be noted as read with no introduction from the report authors.
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, or simply comment on concerns or issues.
4. 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.
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 answer to both.
6. The Chairman/woman 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 60 minutes.

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 ~~issues~~ **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.** ~~The Council's appointee on the Combined Authority, and its two appointees to the Combined Authority Overview and Scrutiny Committee, will each prepare a short paper for inclusion in the agenda. These three~~ **This** reports shall be noted as read with no introduction ~~from the report authors.~~
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, ~~or simply comment on concerns or issues.~~ **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, it will usually be helpful if they give advance notice so that the necessary information can be obtained in advance of the meeting.
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 answer to both.
6. The Chairman/woman 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 ~~640 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).**

ARTICLE 4 – THE FULL COUNCIL

4.01 Meanings

- (a) **Policy Framework:** The Council's Policy Framework is set through the Business Plan and the following statutory and local plans.

Adoption or approval of the following plans is by law reserved to Full Council, which will take into account the recommendation of the General Purposes

Committee **or relevant Policy and Service Committee:**

- Annual Library Plan
- Annual Review of Pay Policy
- Business Plan (budget)
- Cambridgeshire and Peterborough Minerals & Waste Development Plan
- Crime and Disorder Reduction Strategy
- Joint Municipal Waste Strategy
- Sustainable Community Strategy
- Youth Justice Plan

Adoption or approval of the following plans is by local choice reserved to Full Council, which will take into account the recommendation of the General Purposes Committee:

- Enforcement Policy
- Long Term Capital Strategy
- Procurement Strategy
- Single Equality Strategy
- Workforce Strategy

Adoption or approval of the following plans is by local choice delegated to the relevant service committee:

- Cambridgeshire Rural Strategy
- Corporate Asset Management Plan
- Greater Cambridge Sub-regional Economic Strategy
- Local Flood Risk Management Strategy for Cambridgeshire
- Strategic Asset Development Strategy
- Transformation of Adult Social Care strategy.

- (b) **Business Plan:** The Business Plan (budget) includes the allocation of financial resources to different services and projects, proposed contingency funds, the Council Tax base, setting the Council Tax, decisions relating to the control of the Council's borrowing requirement, Treasury management functions and the control of its capital expenditure.

4.02 **Council Meetings**

There are three types of Council meeting:

- (a) The Annual Meeting
- (b) Ordinary meetings
- (c) Extraordinary meetings

Meetings will be conducted in accordance with the Council Procedure Rules in Part 4 of this Constitution.

4.03 **Responsibility for Functions**

Part 3 of this Constitution sets out the responsibilities for the Council's functions, both those that are reserved to Full Council and those that are delegated to committees, to officers, and to other local authorities.

6. Officers and Political Party Groups

- 6.1 There is statutory recognition for political groups and it is common practice for such groups to give preliminary consideration to matters of Council business in advance of consideration by the relevant Council body.
- 6.2 On the invitation of a Group Leader, an Executive or Corporate Director or his/her nominee may attend an approved political party group meeting to give factual information about an issue which is currently being or will shortly be debated by a Council body, provided that:
- ~~the meeting is held on County Council premises;~~
 - notice of attendance is given to the proper officer and made available on request to the other Group Leaders.
- 6.3 **The Chief Executive or Deputy Chief Executive or Monitoring Officer will be in attendance.** Officer support in these circumstances must not extend beyond providing information in relation to matters of Council business. Officers must not be involved in advising on matters of party business. The observance of this distinction will be assisted if officers are not expected to be present when matters of party business are discussed.
- 6.4 Political party group meetings, while they form part of the preliminaries to Council decision-making, are not empowered to make decisions on behalf of the Council. Conclusions reached at such meetings are not Council decisions and it is essential that they are not interpreted or acted upon as such.
- 6.5 Similarly where officers provide information and advice to a political party group meeting in relation to a matter of Council business, this cannot act as a substitute for the officer providing all necessary information and advice to the relevant Council body when the matter is considered.
- 6.6 Officers will not normally attend and provide information to any political party group meeting which includes non-County Council members (e.g. MPs). Exceptions to this may be approved by the Chief Executive who shall do so in writing and copy the correspondence to all the political Group Leaders.
- 6.7 In all dealings with members, in particular when giving advice to political party groups, officers must demonstrate political impartiality and must not suppress their professional advice in the face of political views.
- 6.8 Officers must respect the confidentiality of any political party group meeting at which they are present. They must not relay the content of any such discussion to another party group.
- 6.9 Any particular cases of difficulty or uncertainty in this area of officer advice to political party groups should be raised with the Chief Executive who will discuss them with the relevant Group Leader(s).

ARTICLE 6 – THE DECISION REVIEW PROCESS AND THE STATUTORY SCRUTINY FUNCTION

6.01 Decision Review

The decision-making powers of each committee are specified in their terms of reference in Part 3B, Responsibility for Functions: Committees of Council.

In the case of decisions made by one of the seven Policy and Service Committees (Adults; Children and Young People; Commercial and Investment; Communities and Partnership; Economy and Environment; Health; and Highways and Community Infrastructure) there is a process by which particularly controversial decisions may be reviewed by the General Purposes Committee which shall be known as Decision Review.

The decision review procedure is set out in Part 4.7, Rules of Procedure: Decision Review Procedure Rules.

6.02 The Council's Statutory Scrutiny Function

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

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

These powers shall be exercised by the Health Committee.

- The Flood and Water Management Act 2010.

These functions shall be exercised by the Economy and Environment Committee.

DECISION REVIEW PROCEDURE RULES**1. Overview**

As set out in Part 3B – Responsibility for Functions, Committees of Council, General Purposes Committee, eight members of General Purposes Committee may initiate a review of a decision taken by a Policy and Service Committee by submitting a request for review to the Monitoring Officer or Chief Executive before the expiry of three full working days from the date on which the decision notice was published.

Due to the costs and delay caused by review, it is intended that it should only be used in exceptional circumstances as a last resort.

Where the review process is initiated the implementation of the decision subject to the review shall be suspended until the process is complete or the review withdrawn.

2. Decisions which may be subject to review

As provided in Article 6 and subject to the exceptions set out below, the Decision Review procedure shall apply to any decisions made by Policy and Service Committees (Adults, Children and Young People, Commercial and Investment, Communities and Partnership, Economy and Environment, Health and Highways and Community Infrastructure).

The General Purposes Committee may not review its own decisions.

3. Decisions which may not be reviewed

The following categories of decision are exempt from the decision review process:

- i) A decision in respect of which no decision review request was received within the requisite timescales prescribed in these Rules and has therefore come into effect.
- ii) A decision which satisfies the criteria for urgent decisions as set out in the Council's Rules of Procedure.
- iii) A decision by Full Council or subject to Full Council approval.
- iv) A decision by General Purposes Committee.
- v) Decisions made by regulatory committees and/or decisions of a quasi-judicial or regulatory nature.
- vi) A decision which has been rescinded by the relevant committee or decision maker prior to the determination of any request for a decision review in accordance with Rule 4.2.

- vii) A decision which has been made in accordance with Rule 17 of the Committee and Sub-Committee Procedure Rules, Previous Decisions and Motions.

4. Decision Review Process

4.1 Publication of Decision Statement

Where a decision has been made by a Policy and Service Committee, the decision shall be published in the form of a decision statement, within two working days of the decision being made, on the Council's public website. The decision statement shall also be sent to members of the relevant committee within the same timescale.

The decision statement will bear the date on which it is published and will specify that the decision will be effective on the expiry of three full working days after the publication of the decision statement and may then be implemented, unless the subject of a decision review request under this provision within that three full working day period. The deadline for a decision review request shall be specified in the decision statement.

4.2 Review by General Purposes Committee

Where at least 8 *full* members of the General Purposes Committee wish to initiate a review of a decision which falls within the remit of the procedure, they may do so by submitting a written request for review to the Monitoring Officer or Chief Executive.

Such a request must be received by the Monitoring Officer or Chief Executive before the end of three full working days from the date on which the decision notice was published.

Where this criterion is met, the matter shall be referred to the General Purposes Committee for consideration as to whether the review request should be dismissed or upheld.

If the request is dismissed, those members requesting the review will be notified and the original decision shall take effect by 9.30am the next working day following the day of the General Purposes Committee meeting which reviewed the request.

If the review is upheld the matter shall be referred back to the relevant committee with a recommendation from the General Purposes Committee. The relevant committee shall reconsider the matter, taking into account any concerns and recommendations of the General Purposes Committee, and decide whether to amend the decision or not before reaching a final decision. The decision of the relevant committee will take effect at 9.30am on the fourth full working day from the date on which the decision notice was published.

A decision may be subject of a decision review by the General Purposes Committee once only. Once the review has been considered by the General Purposes Committee, the decision may not be subject of a further decision review by that Committee.

5. The Decision Review Procedure Timescales

Where a valid review request is received, the Monitoring Officer shall convene a meeting of the General Purposes Committee as appropriate, to take place within 10 working days or as soon as is practically possible thereafter.

In setting the date of the review hearing, all reasonable efforts will be made to enable attendance by Members, relevant Officers and other witnesses. Councillors who have requested the review shall have the right to address the Committee when it deals with the issue subject to the usual limits on speeches.

14. COMMUNITIES AND PARTNERSHIP COMMITTEE

Membership

Ten members of the Council, subject to proportionality. This will include one Member from each City/District area of the County, i.e. Cambridge City, East Cambridgeshire, Fenland, Huntingdonshire and South Cambridgeshire, to reflect the political control of the respective City/District Councils to undertake an enhanced role. These Members will be Area Community Champions. They will engage closely with their communities and be an advocate for the activity in these communities and the work of this committee and its partners. The Chairman/woman and Vice-Chairman/woman of the Committee shall be appointed by Full Council.

Summary of Functions

The Communities and Partnership Committee is authorised by Full Council to deliver the County Council's ambition to build stronger self-sustaining communities as expressed in its Community Resilience Strategy, and to work together with the Mayor, combined authority, district councils and other partners to design and deliver services which best meet the needs of those communities. The committee will develop plans, in this regard, with the Mayor, combined authority, district councils and other partners to deliver or jointly commission services for communities where it makes sense to do so, aligning resources and expertise around an agreed set of outcomes in order to make the most of public sector funds.

The Communities and Partnership Committee will work together with other bodies to deliver against our shared ambition to build stronger self-sustaining communities, such as those supporting Parish and Town Councils, our commissioning partners such as the Cambridgeshire and Peterborough Clinical Commissioning Group and the Cambridgeshire Peterborough Communities Network – a network of senior officers drawn from all local authorities across Cambridgeshire and Peterborough, the Office of the Police and Crime Commissioner, Cambridgeshire Fire and Rescue Service, Cambridgeshire Constabulary, Support Cambridgeshire (the Voluntary and Community Infrastructure partnership), Cambridgeshire Community Services NHS Trust and Cambridgeshire and Peterborough NHS Foundation Trust.

Delegated Authority	Delegation/Condition
<p>Authority to deliver the Community Resilience Strategy and services working with the Mayor, the combined authority, district councils and other partners and in particular to -</p> <ul style="list-style-type: none"> • develop and implement joint plans with the combined authority, district councils and other partners for the delivery of community place based services in accordance with the agreed outcomes; • in consultation with the combined authority, district councils and other partners in services within communities approve joint investment in projects, within available resources, that are designed to help manage the demand for high cost services in accordance with the agreed outcomes; • develop and approve business case and plans to devolve services, budgets and assets, and implement subject to Council's approval of the associated business case in accordance with the agreed outcomes; 	<p>Subject to confirmation from the S.151 of the availability of sufficient resources.</p>

Delegated Authority	Delegation/ Condition
<ul style="list-style-type: none"> decide on funding to be made available for community initiatives through the Innovation Fund. 	
<p>Authority to develop, with the Mayor, combined authority, district councils and other partners plans to enhance customer services, including the better use of assets in communities such as libraries and other community buildings for approval by the relevant committee(s) in the County Council.</p>	
<p>Authority to advise the County Council on opportunities to create a shared workforce or shared arrangements (such as joint ventures) to deliver services across the combined authority, district councils and other partners for approval by the relevant committee(s) in the County Council.</p>	
<p><i>Authority to approve the Council's Consultation Strategy and its approach to future Business Planning consultation</i></p>	

Agenda Item No: 7

A REVIEW OF THE COMPLAINTS RECEIVED UNDER THE MEMBERS' CODE OF CONDUCT TO 14 SEPTEMBER 2017

To: **Constitution and Ethics Committee**

Meeting Date: **26 September 2017**

From: **LGSS Director of Law & Governance and Monitoring Officer**

Electoral division(s): **All**

Purpose: **To brief the Constitution and Ethics Committee on the number and nature of the complaints received about Members under the Code of Conduct from 13 June 2017 to 14 September 2017**

Recommendation: **It is recommended that the Constitution and Ethics Committee note the contents of this report.**

<i>Officer contact:</i>	
Name:	Maria Damigos
Post:	Corporate Lawyer
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Tel:	01223 743853

1. INTRODUCTION

- 1.1. The Localism Act ("the Act") places a statutory duty on the County Council to promote and maintain high standards of conduct amongst its Members and co-opted Members. This includes the obligation on the County Council to have in place a Code of Conduct setting out the standard of conduct expected of Members when acting in their capacity as County Councillors.
- 1.2. The requirements of the Act are supported by Article 9 of the Constitution, which also requires the Constitution and Ethics Committee to monitor the operation of the Code of Conduct and the complaints received under it.
- 1.3. This report serves to provide the Constitution and Ethics Committee with an overview of the complaints received under the Code of Conduct from 13 June 2017 to 14 September 2017.

2. OVERVIEW OF COMPLAINTS

- 2.1. Since 13 June 2017 two new complaints against a Member have been received by the Monitoring Officer. One of these complaints has been concluded. As at the date of writing this report the second remains open but it is expected to be concluded as at the date of the committee meeting. Details of the second complaint will therefore be included in the next report.
- 2.2. Details of the complaint which has been concluded since 13 June 2017 are set out in Appendix 1.
- 2.3. The publication of details of complaints only takes place after conclusion of the complaint to reduce speculation on limited information, ensure there is no compromise of any assessment or investigation and that the Data Protection Act 1998 is complied with.

Source Documents	Location
Decision Notice – Complaint against Councillor Hunt	Held by LGSS Law Limited, Priory House, SG17 5TQ, Ref COR002/081; decision notices are also published on the Council's website at www.cambridgeshire.gov.uk/council/contact-us/complain-about-a-councillor-or-co-opted-member/

APPENDIX 1

Complaint against:	Cllr Hunt
Date of Complaint:	26 July 2017
Complainant:	Mr Cranfield
Allegation:	Inappropriate behaviour during a parish Council meeting bring office or authority into disrepute and preventing access to information
Current Status:	Concluded
Outcome:	The Independent Person concluded that there was insufficient evidence to show any breach or potential breach of paragraph 2.2(e) of the Code of Conduct (bringing office or authority into disrepute) and no breach of paragraph 3.2 of the Code of Conduct (preventing access to information)
Date of final decision:	11 September 2017

<p>CONSTITUTION AND ETHICS COMMITTEE</p> <p>AGENDA PLAN</p>

DATE 28.11.17	AGENDA ITEMS		
	1.	Declaration of Interests	R Yule
	2.	Minutes	R Yule
	3.		
	4.		
	5.	Summary of activity in relation to the Regulation of Investigatory Powers Act 2000**	S Edge
	6.	Quarterly report on investigation of complaints*	M Damigos
	7.	Agenda Plan	R Yule

DATE 30.01.18	AGENDA ITEMS		
	1.	Declaration of Interests	R Yule
	2.	Minutes	R Yule
	3.		
	4.	Quarterly report on investigation of complaints*	M Damigos
	5.	Agenda Plan	R Yule

DATE 27.02.18	AGENDA ITEMS – reserve date		
	1.	Declaration of Interests	
	2.	Minutes	
	3.		

DATE 24.04.18	AGENDA ITEMS		
	1.	Declaration of Interests	R Yule
	2.	Minutes	R Yule
	3.		
	4.		
	5.	Annual report on whistleblowing incidents	Q Baker
	6.	Quarterly report on investigation of complaints*	
	7.	Agenda Plan	R Yule

To be programmed:

Appointment of Independent Persons (current appointments are to 30 October 2019; see Council minutes for 10 May 2016)

* Council report on agenda item 7, July 2012, refers

** Extract from minutes of Standards Committee 3rd July 2009:

The Committee noted that the Council had approved a number of changes to procedures relating to the exercise of powers under the Regulation of Investigatory Powers Act (RIPA) 2000. This included presenting an annual monitoring report on the use of the powers to the Standards Committee. The Committee's terms of reference had been amended to facilitate this.

