

Tracked Changes to the Constitution

When preparing the constitution and report for the Constitution and Ethics Committee, it was agreed to not include a version of the constitution with tracked changes. This was due to the fact that the whole content was moving to different chapters, which would result in a document that was so full of tracked changes that it would be confusing and potentially counter-productive.

However, at the Constitution and Ethics Committee meeting on 28 January 2025, it was requested that Members be provided with a tracked change version when it was presented to Full Council. The following document is the current constitution, with tracked changes identifying changes that have been made as part of the proposed restructure.

To improve the document's readability and purpose, a clarifying comment has been added to the beginning of each chapter to say where the content has been moved to, with changes to that moved text then highlighted with the subsequent tracked changes. The tracked changes do not highlight changes to numbering, punctuation, formatting or headers/footers, which are all non-substantive changes resulting from the restructuring process.

During this process, it was established that a sentence in Section 8.01 of Article 8 (Committees) had erroneously not been included in the restructured constitution. This has now been added as paragraph 3.3 of Chapter D2 (Committee Procedure Rules) in the restructured constitution that was attached at Appendix 3 of the report to the Constitution and Ethics Committee. This is the only change that has been made following the committee meeting.

The Constitution Part 1 – Summary and Explanation

Summary and Explanation

Commented [A1]: Sections 1 and 2 moved to A1, Sections 3 to 5 moved to A2, and Section 6 moved to B1, subject to the following tracked changes

1. The ~~Council's~~ Constitution

Commented [A2]: Subheading changed to remove duplication

1.1 Cambridgeshire County Council has a constitution which sets out how the Council operates, how decisions are made and the procedures that are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by the law, while others are a matter for the Council to choose.

1.2 The Constitution is divided into ~~fifteen articles as set out in Part 2, which set out the basic rules governing the Council's business. More detailed procedures and codes of practice are provided in separate rules and protocols at the end of the document the following seven parts:~~

- [Part A \(The Constitution and How the Council Operates\) – This part provides a brief introduction to the constitution and how the council operates.](#)
- [Part B \(Public Participation\) – This part sets out the various ways in which members of the public can get involved with the Council.](#)
- [Part C \(Full Council\) – This part sets out the roles and responsibilities of the Full Council, and it includes the rules for Full Council meetings.](#)
- [Part D \(Committees\) - This part sets out the roles and responsibilities of the Council's various committees, and it includes the rules for committee meetings.](#)
- [Part E \(Joint Arrangements\) – This part sets out the joint arrangements that the Council has agreed with other local authorities and bodies.](#)
- [Part F \(Councillors\) – This part sets out the roles of councillors, how they are expected to behave, and the level of allowances they receive.](#)
- [Part G \(Officers\) – This part sets out the roles and responsibilities of officers, how they are required to behave, and the financial and contractual rules they are required to follow.](#)

2. ~~What's in the~~ Constitution?

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2.1 ~~Article 1 of t~~The Constitution commits the Council to its core values of working in partnership with the public, businesses and other organisations, always acting in an open, transparent and accountable manner, producing value for money and continuous improvement of its services and ensuring equity in allocation and delivery of services.

2.2 The Council's core values are:

- Accountability;
- Respect;

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- Integrity;
- Value for money;
- Equity;
- Excellence.

2.3 ~~Articles 2–15 explain the rights of the public and how the key parts of the Council operate. These are:~~

- ~~• Members of the Council (Article 2);~~
- ~~• The Public and the Council (Article 3);~~
- ~~• The Full Council (Article 4);~~
- ~~• Chairing the Council (Article 5);~~
- ~~• The Statutory Scrutiny Function (Article 6);~~
- ~~• The Council Leader, Chairs and Vice-Chairs of Committees and Lead Members (Article 7);~~
- ~~• Committees (Article 8);~~
- ~~• Advisory Process (Article 9);~~
- ~~• Joint Arrangements (Article 10);~~
- ~~• Officers (Article 11);~~
- ~~• Decision Making (Article 12);~~
- ~~• Finance, Contracts and Legal Matters (Article 13);~~
- ~~• Review and Revision of the Constitution (Article 14);~~
- ~~• Suspension, Interpretation and Publication of the Constitution (Article 15).~~

Commented [A4]: Removed due to new structure

3. How the Council Operates

- 3.1 The Council is composed of 61 councillors elected every four years. Councillors are democratically accountable to residents of their electoral division. The overriding duty of councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them.
- 3.2 Councillors have to agree to follow a code of conduct to ensure high standards in the

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way they undertake their duties. The Constitution and Ethics Committee trains and advises them on the Code of Conduct.

- 3.3 All councillors meet together as the Council. Meetings of the Council are normally open to the public. Here councillors decide the Council's overall policies and set the budget each year. The Council allocates seats on committees, considers items referred from the Strategy, Resources and Performance Committee and makes appointments of Chief Executive, executive directors and service directors (through a Staffing and Appeals Committee).

[Section F of the constitution contains further information related to Councillors, while Section C contains further information on Full Council.](#)

4. [How Decisions are Made](#)[Decision Making](#)

- 4.1 Committees are responsible for most major decisions. They comprise up to fifteen councillors. When major decisions are to be discussed or made, these are published in the Council's Forward Plan insofar as they can be anticipated. If these major decisions are to be discussed with Council officers at a meeting of a committee this will generally be open for the public to attend, except where personal or confidential matters are being discussed. The committees have to make decisions which are in line with the Council's overall policies and budget. If they wish to make a decision which is outside the approved budget or Policy Framework this must be referred to the Council as a whole to decide.

5. The Council's Staff

- 5.1 The Council has people working for it (called 'officers') to give advice, implement decisions and manage the day-to-day delivery of its services. Some officers have a specific duty to ensure that the Council acts within the law and uses its resources wisely. A Code of Practice governs the relationships between officers and members of the Council.

[Section G of the constitution contains further information related to officers.](#)

6. Rights of the Public

- 6.1 The Council welcomes public participation in its work. Members of the public have a number of rights in their dealings with the Council. [These are set out in more detail in Article 3 Their rights to information and to participate are explained in more detail in Chapter B3 \(Access to Information Procedure Rules\).](#) Some of these are legal rights, whilst others depend on the Council's own processes. The local Citizens' Advice Bureau can advise on individuals' legal rights.
- 6.2 Where members of the public use specific Council services, for example as a parent of a school pupil, they have additional rights. These are not covered in the Constitution.

Members of the public have the right to:

- (a) Vote at local elections if they are registered;

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- (b) Contact their local councillor about any matters of concern to them;
- (c) Obtain a copy of the Constitution;
- (d) Attend meetings of the Council and its committees except where, for example, personal or confidential matters are being discussed;
- (e) Petition to request a referendum on a mayoral form of executive;
- (f) Find out, from the Council's Forward Plan, what major decisions are to be discussed by the committees or decided by the officers if delegated by the committees, and when;
- (g) See reports and background papers and any record of decisions made by the Council and its committees;
- (h) Submit petitions in accordance with the Council's Petitions Scheme;
- (i) Complain to the Council about the standard of service, actions or lack of actions by the Council, its staff or contractors affecting an individual customer or group of customers;
- (j) Complain to the Local Government Ombudsman if they think the Council has not followed its procedures properly. However, they should only do this after using the Council's own complaints process;
- (k) Inspect the Council's accounts and make their views known to an external auditor.

Article 1 – The Constitution

Commented [NM1]: Entire chapter moved to A1, subject to the following tracked changes

1.01 Powers of the Council

Commented [NM2]: Subheading removed due to new location

The Council will exercise all its powers and duties in accordance with the law and this constitution.

1.02 The Constitution

Commented [NM3]: Subheading removed due to new location

This constitution, with all its appendices, forms the Constitution of the Cambridgeshire County Council.

1.03 Purpose of the Constitution

The purpose of the Constitution is to:

1. Enable the Council to provide clear leadership to the community in partnership with citizens, businesses and other organisations.
2. Support and encourage the active involvement of citizens in the process of local authority decision-making.
3. Help councillors represent their constituents more effectively.
4. Enable decisions to be taken efficiently and effectively.
5. Create a powerful and effective means of holding decision-makers to public account.
6. Ensure that those responsible for decision-making are clearly identifiable to local people and that they explain the reasons for decisions.
7. Provide a means of improving the delivery of services to the community.
8. Enable the Council to provide services and opportunities that are available to all and fairly allocated.

1.04 Interpretation and Review of the Constitution

Commented [NM4]: Change to subheading due to new location

Where the Constitution permits the Council to choose between different courses of action, the Council will always choose that option which it thinks is closest to the purposes stated above.

~~The Council will monitor and evaluate the operation of the Constitution as set out in Article 14.~~

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Article 2 – Members of the Council

Commented [A1]: Entire chapter moved to F1, subject to the following tracked changes

2.01 ~~Composition and Eligibility~~

Commented [A2]: Removed to remove duplication

- (a) Composition: The Council will comprise 61 members, otherwise called Councillors. One or more councillors will be elected by the voters of each electoral division in accordance with a scheme drawn up by the Electoral Commission and approved by the Secretary of State;
- (b) Eligibility: Only registered voters of the county or those living or working there will be eligible to hold the office of councillor.

2.02 Election and Terms of Councillors

The regular election of councillors will usually be held on the first Thursday in May every four years. The terms of office of councillors will start on the fourth day after being elected and will finish on the fourth day after the date of the next regular election.

2.03 Roles and Functions of all Councillors

- (a) Key roles: All councillors will:
 - (i) Collectively be the ultimate policymakers and carry out a number of strategic and corporate management functions;
 - (ii) Contribute to the good governance of the area and actively encourage community participation and citizen involvement in decision making;
 - (iii) Effectively represent the interests of their electoral division and of individual constituents;
 - (iv) Respond to constituents' enquiries and representations, fairly and impartially;
 - (v) Participate in the governance and management of the Council;
 - (vi) Be available to represent the Council on other bodies; and
 - (vii) Maintain the highest standards of conduct and ethics.

(b) Rights and duties:

- (i) Councillors will have such rights of access to such documents, information, land and buildings of the Council as are necessary for the proper discharge of their functions and in accordance with the law.
- (ii) Councillors will not make public, information which is confidential or exempt without the consent of the Council's Monitoring Officer, or divulge information given in confidence to anyone other than a councillor or officer who is entitled to know it.
- (iii) For these purposes, 'confidential' and 'exempt' information are defined in [the Access to Information Procedure Rules in Part 4 Chapter B3 \(Access to Information Procedure Rules\)](#) of the Constitution.

2.04 Conduct

Councillors will at all times observe [the Members' Code of Conduct and the Protocol on Member/Officer Relations set out in Part 5 Chapter F2 \(Members' Code of Conduct\) and Chapter F3 \(Member/Officer Protocol\)](#) of the Constitution.

2.05 Allowances

Councillors will be entitled to receive allowances in accordance with [the Members' Allowances Scheme set out in Part 6 Chapter F4 \(Members' Allowances Scheme\)](#) of the Constitution.

Article 3 – The Public and the Council

Commented [A1]: Entire Chapter moved to B1, subject to the following tracked changes

3.01 ~~Rights of Members of the Public~~

Commented [A2]: Removed due to duplication

Members of the public have the following rights: ~~Their rights to information and to participate are explained in more detail in the Access to Information Procedure Rules in Part 4 of the Constitution.~~

Commented [A3]: Removed due to duplication

- (a) Voting and petitions: Members of the public on the electoral roll for the area have the right to vote and sign a petition to request a referendum for an elected mayor.
- (b) Information: Members of the public have the right to:
 - (i) Attend meetings of the Council and its committees except where confidential or exempt information is likely to be disclosed, and the meeting is therefore held in private.
 - (ii) Find out from the Forward Plan what key decisions will be taken by the Council and its committees and when.
 - (iii) See reports and background papers, and any records of decisions made by the Council and its committees, except where confidential or exempt information is likely to be disclosed.
 - (iv) Inspect the Council's accounts and make their views known to the external auditor.
- (c) Complaints: Members of the public have the right to complain to:
 - (i) The Council itself under its complaints scheme or any other statutory scheme; and
 - (ii) The Local Government Ombudsman after using the Council's own complaints scheme.

3.02 Responsibilities of Members of the Public

Members of the public must not be violent, abusive or threatening to councillors or officers and must not wilfully damage property owned by the Council, councillors or officers.

Article 4 – The Full Council

Commented [NM1]: Sections 1, 2 (second part) and 3 moved to C1, and Section 2 (first part) moved to C2, subject to the following tracked changes

4.01 Meanings

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- (a) Policy Framework: The Council's Budget and 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 Strategy, Resources and Performance Committee or relevant Policy and Service Committee:

- (i) Annual Library Plan
- (ii) Annual Review of Pay Policy
- (iii) Business Plan (budget)
- (iv) Cambridgeshire and Peterborough Minerals & Waste Development Plan
- (v) Crime and Disorder Reduction Strategy
- (vi) Joint Municipal Waste Strategy
- (vii) Sustainable Community Strategy
- (viii) 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 Strategy, Resources and Performance Committee:

- (i) Corporate Asset Management Plan
- (ii) Enforcement Policy
- (iii) Long Term Capital Strategy
- (iv) Procurement Strategy
- (v) Single Equality Strategy
- (vi) Strategic Asset Development Strategy
- (vii) Workforce Strategy

Adoption or approval of the following plans is by local choice delegated to the relevant Policy and Service Committee:

- (i) Greater Cambridge Sub-regional Economic Strategy
 - (ii) Cambridgeshire Rural Strategy
 - (iii) Local Flood Risk Management Strategy for Cambridgeshire
 - (iv) Transformation of Adult Social Care strategy
 - (v) Climate Change and Environment Strategy.
- (b) Business Plan: The Business Plan 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 Types of 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 the Constitution.

4.03 Responsibility for Functions

~~Part 3 of the 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.~~

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Article 5 – Chairing the Council

Commented [NM1]: Entire chapter moved to C1, without any changes

5.01 Role and Function of the Chair of the Council

The Chair of the Council will be elected by the Council at the annual meeting. The Chair of Council, and in the Chair's absence the Vice-Chair, will have the following roles and functions:

- (a) To uphold and promote the purposes of the Constitution.
- (b) To preside over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of councillors and the interests of the community.
- (c) To ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which members are able to hold each other to account.
- (d) To promote public involvement in the Council's activities.
- (e) To be the conscience of the Council.
- (f) To attend such civic and ceremonial functions as the Council and the Chair determine appropriate, for example to:
 - (i) Preside over citizenship ceremonies;
 - (ii) Present awards;
 - (iii) Officially open new buildings and projects;
 - (iv) Attend twinning events; and
 - (v) Attend funerals of members and officers who die in service and civic dignitaries past and present.

In the case of doubt as to what does and does not constitute a civic or ceremonial function, the final decision shall rest with the Monitoring Officer following discussion with the Chair.

Article 6 – The Decision Review Process and Statutory Scrutiny Function

Commented [A1]: Entire chapter moved to D1, subject to the following tracked changes

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~~ D of the constitution.

In the case of decisions made by one of the six Policy and Service Committees (~~Adults and Health; Assets and Procurement; Children and Young People; Communities, Social Mobility and Inclusion; Environment and Green Investment; and Highways and Transport~~) listed in section 2 of this chapter, there is a process by which particularly controversial decisions may be reviewed by the Strategy, Resources and Performance 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~~ Chapter D3 (Decision Review Procedure Rules).

6.02 The Council's Statutory Scrutiny Function

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

- (a) 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 Adults and Health Committee.

- (b) The Flood and Water Management Act 2010.

These functions shall be exercised by the Environment and Green Investment Committee.

Article 7 – The Council Leader, Chairs and Vice-Chairs of Committees and Spokes

Commented [NM1]: Sections 1-3 moved to C1, and Sections 4-5 moved to D1, subject to the following tracked changes

7.01 Council Leader

The Chair of the Strategy, Resources and Performance Committee shall be, ex-officio, Council Leader and shall hold office unless and until they cease to be Chair of the Strategy, Resources and Performance Committee.

7.02 Role of the Council's Leader

Commented [NM2]: Subheading removed as unnecessary

The role of the Council's Leader is to:

- (a) Provide a focal point for political leadership and strategic direction for the Council; and
- (b) Represent the interests of the Council in circumstances where that is necessary.

The duties and responsibilities are to:

- (a) Ensure effective decision making, including working with all political groups to seek to achieve, where possible, cross party co-operation;
- (b) Be the key contact for outside organisations (including central government, local authority associations and Council partners), and internally for the Council's Corporate Leadership Team;
- (c) Be the representative voice of the Council, for example, in its dealings with central government, other local authorities and their associations, and positively promote the Council within the media; and
- (d) Promote the long-term financial, business and economic stability of the Council.

7.03 Deputy Council Leader

The Deputy Council Leader will assume the full powers of the Council Leader in any circumstances in which the Council Leader is unable to act. The Deputy Council Leader will also act as Council Leader if the Council Leader is unavailable. The Vice-Chair of the Strategy, Resources and Performance Committee shall be, ex-officio, Deputy Council Leader and shall hold office unless and until they cease to be Vice-Chair of the Strategy, Resources and Performance Committee.

7.04 Chairs and Vice-Chairs of Committees

The Council shall appoint at each annual meeting of the Council:

- (a) The Chair and Vice-Chair of the Strategy, Resources and Performance Committee which roles shall include the role of Council Leader and Deputy Council Leader of the Council respectively;
- (b) The chair and vice-chair of each of the six Policy and Service Committees; and
- (c) The chair and vice-chair of the Audit and Accounts Committee, Pension Fund Committee and Planning Committee.

The chairs and vice-chairs shall remain in office until the start of the annual meeting following their appointment unless a resolution is proposed at full Council to remove them.

7.05 Spokes

Each of the Council's political groups may designate one of their group members as spokes for each Policy and Service Committee.

The Chief Executive, executive directors, and directors shall hold briefing meetings with their relevant Policy and Service Committee chair and vice-chair to plan the agenda for future service committee meetings and consider any other issues the officer may think appropriate. They will also hold one briefing meeting with all spokes to brief them on the agenda for future service committee meetings and consider any other issues the officer may think appropriate. All these meetings will be confidential subject to any relevant legal requirements to the contrary.

Spokes shall also be entitled to individual private and confidential briefings from executive directors and service directors on any relevant policy matter within the remit of that director. Information shall be provided at these briefings on a confidential basis in accordance with the Guidance on Confidentiality [attached to at Appendix D of the Members' Code of Conduct](#). Requests for such briefings must be reasonable in extent and number, as determined by the Chief Executive in consultation with the relevant group leader, in accordance with [paragraph 7.9 of the Protocol on Member/Officer Relations in Part 5 Chapter F3 \(Member/Officer Protocol\)](#) of the Constitution. Such requests will only be considered for items not covered by a briefing meeting.

Article 8 - Committees

Commented [A1]: Entire chapter moved to D1, except for the first paragraph of Section 1 (moved to A2), and second paragraph of Section 1 (moved to D2) subject to the following tracked changes.

8.01 Introduction

The Council shall establish a number of committees in order to undertake its functions in a more efficient way. These are divided into four categories, Policy and Service Committees; Regulatory Committees; Joint Committees and other committees. In some cases, the law requires the Council to establish a committee and stipulates the way it shall operate. However, in most cases Full Council may decide on the size, terms of reference and membership of its committees.

[Section D of the constitution contains further information on the committees.](#)

In the absence of the relevant committee chair, the vice-chair will take the chair.

All councillors are encouraged to undertake regular training and for the regulatory and appeals committees there are specific training requirements.

~~Statutory scrutiny functions will be incorporated and carried out by the relevant policy and service committee as set out in their respective terms of reference.~~

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8.02 Policy and Service Committees

The Council shall establish the following Policy and Service Committees:

- (a) Adults and Health Committee
- (b) Assets and Procurement Committee
 - [Shareholder Sub-Committee](#)
- (c) Children and Young People Committee
 - [Corporate Parenting Sub-Committee](#)
- (d) Communities, Social Mobility and Inclusion Committee
- (e) Environment and Green Investment Committee
- (f) Highways and Transport Committee

These are known as Policy and Service Committees because their business concerns the Council's delivery of services to the people of Cambridgeshire.

~~The composition and function of each of these committees are set out in Part 3B – Responsibility for Functions: Committees of Council.~~

Commented [NM3]: Removed due to new structure

8.03 Regulatory Committees

The Council shall establish the following Regulatory Committees:

- (a) Planning Committee

These committees regulate the conduct of the Council's business and make decisions in relation to regulatory matters.

~~The composition and function of each of these committees are set out in Part 3B – Responsibility for Functions: Committees of Council.~~

Commented [NM4]: Removed due to new structure

8.04 Joint Committees

In conjunction with other authorities, the Council shall establish and participate in the following Joint Committees:

- (a) Area Joint Committees (where the Council sees fit)

~~(b) Cambridgeshire and Peterborough Health and Wellbeing Board~~

~~(b)(c) Cambridgeshire Police and Crime Panel~~

~~(e)(d) Greater Cambridge Partnership Executive Board~~

~~(d)(e) Greater Cambridge Partnership Joint Assembly~~

The composition and function of each of these committees are set out in Part 3C – Responsibility for Functions: Joint Committees.

8.05 Other Committees

The Council shall establish the following other committees:

- (a) Strategy, Resources and Performance Committee

- (b) Audit and Accounts Committee

~~(c) Cambridgeshire Health and Wellbeing Board~~

~~(d)(c) Cambridge Joint Area Committee~~

~~(e)(d) Cambridgeshire Pension Fund Board~~

~~(f)(e) Constitution and Ethics Committee~~
- Hearings Sub-Committee

~~(g)~~(f) Pension Fund Committee
- Investment Sub-Committee

~~(h)~~(g) Staffing and Appeals Committee
- Service Appeals Sub-Committee.

~~The composition and function of each of these committees are set out in Part 3B
Responsibility for Functions: Committees of Council.~~

Commented [NM5]: Removed due to new structure

Article 9 – Advisory Process

Commented [A1]: Entire chapter moved to D1, subject to the following tracked changes

9.01 Introduction

Commented [A2]: Heading removed due to new structure

The Council maintains a number of advisory groups and participates in advisory groups arranged by or with other authorities.

9.02 County Advisory Groups

The Council may establish one or more County Advisory Groups (CAGs). The main purpose of CAGs will be to provide a forum to develop links with other agencies and to give a focus for specialist services. Examples of CAGs include those covering such topics as archives and county museums. The Council's representation will be determined taking into account the particular nature of each CAG.

The Council's involvement in and representation on CAGs will be determined by the Strategy, Resources and Performance Committee. The Strategy, Resources and Performance Committee may add to, delete, or vary any of these advisory groups, or change their composition or terms of reference.

A list of the existing CAGs is set out below. The Democratic Services Manager shall maintain a schedule of the CAGs in which the Council is involved, and details of its representation. This schedule shall be published on the Council's website.

- (a) County Advisory Group on Archives and Local Studies; and
- (b) Local Councils Liaison Committee.

9.03 Cambridgeshire Public Service Board

The Cambridgeshire Public Service Board provides a key role in developing integrated approaches to local service delivery and tackling the County's most challenging problems. The Board is made up of the chief executives of the County Council, the five district councils and Peterborough City Council; the Chief Constable; the Chief Fire Officer; and the Chief Executive Officer of the Integrated Care Board. Democratic accountability is maintained by reporting to councils and non-executive boards.

9.04 Appointments to Outside Bodies

The Council is represented on a wide range of outside bodies. Appointments to outside bodies are the responsibility of Full Council, but this responsibility may be delegated to the Policy and Service Committees and the Chief Executive.

Full Council shall appoint to:

- (a) Cambridgeshire and Peterborough Combined Authority
- (b) Greater Cambridge Partnership
- (c) Cambridgeshire and Peterborough Fire Authority
- (d) County Councils Network Council
- (e) Local Government Association.

The Policy and Service Committees shall appoint to all other bodies, including, for example, flood defence committees and recreation centre management committees.

The Council or the Policy and Service Committees, as appropriate, may decide not to make any appointment to an outside body. They may also delegate this responsibility to the lead officer in consultation with the committee chair (or, in their absence, the vice-chair).

The Democratic Services Manager shall maintain a schedule of the outside bodies on which the Council is represented, and details of its representation. This schedule shall be published on the Council's website.

9.05 Political Balance in Appointments to the Advisory Process

Unless stated otherwise political balance shall be taken into account when considering the composition of, and appointments to, all groups and bodies to which [this article section 10 of this chapter](#) applies in accordance with any relevant statutory requirements.

Article 10 – Joint Arrangements

Commented [A1]: Entire chapter moved to E1, subject to the following tracked changes

10.01 Arrangements to Promote Wellbeing

The Council, in order to take the reasonable action needed ‘for the benefit of the authority, its area or persons resident or present in its area’ may:

- (a) Enter into arrangements or agreements with any person or body;
- (b) Co-operate with, or facilitate or co-ordinate the activities of, any person or body; and
- (c) Exercise on behalf of that person or body any functions of that person or body.

10.02 Joint Arrangements

- (a) The Council may establish joint arrangements with one or more local authorities to exercise functions and any such arrangements may involve the appointment of a joint committee with these other local authorities.
- (b) The Adults and Health Committee may delegate its functions under Section 7 of the Health and Social Care Act 2001 as amended by the Health and Social Care Act 2012 to a joint overview and scrutiny committee when this is required by the Direction issued by the Secretary of State for Health in July 2003 or is conducive to the efficient scrutiny of proposals affecting more than one Social Services local authority area.
- (c) The Adults and Health Committee may appoint members to a joint overview and scrutiny committee established under paragraph ~~(b)~~ 2.3 above. In this case the political balance requirements will apply to such appointments.
- (d) Details of any joint arrangements which have been established by Full Council, including any delegations to joint committees, along with their composition and purpose, will be found in the Responsibility for Functions set out in Part 3 of this Part E of the constitution. In addition, where there are special procedural rules, these are also listed.

Commented [A2]: Additional text comes from Chapter 3C to remove duplication

10.03 Access to Information

- ~~(a) The Access to Information Procedure Rules in Part 4 of this constitution apply. Chapter B3 (Access to Information Procedure Rules) of the constitution applies.~~

10.04 Delegation to and from other Local Authorities

- (a) The Council may delegate functions to another local authority. The decision to delegate to another authority shall be reserved to the relevant policy and service committee of Council unless it is of such significance it should remain a decision of the Council. This will be determined by the Service Director: Legal and Governance, in consultation with Group Leaders, with any dissent meaning that it should remain a decision of the Council.
- (b) Other local authorities may delegate functions to the Council and the decision whether or not to accept such a delegation from another local authority shall be reserved to the relevant Policy and Service Committee of Council.

10.05 Contracting Out

The Council may contract out to another body or organisation functions which may be exercised by an officer and which are subject to an Order under Section 70 of the Deregulation and Contracting Out Act 1994, or under contracting arrangements where the contractor acts as the Council's agent under usual contracting principles, provided there is no delegation of the Council's discretionary decision making.

Article 11 - Officers

~~Terminology~~Introduction

~~In this article~~ The use of the word 'officers' means all employees and persons engaged by the Council to carry out its functions, and includes those engaged under short-term, agency or other contract for services.

11.01 ~~Management Structure~~

(a) ~~General~~ The Council may engage such staff ~~(referred to as officers)~~ as it considers necessary to carry out its functions.

(b) Chief Officers. The Council shall engage persons for the following posts, who shall be designated chief officers:

Post	Functions and areas of responsibility
Chief Executive (Statutory Head of Paid Service)	<p>Overall corporate leadership, management and operational responsibility (including overall management responsibility for all officers).</p> <p>Provision of professional advice to all parties in the decision-making process.</p> <p>Together with the Monitoring Officer, responsibility for a system of record keeping for all the Council's decisions.</p> <p>Representing the Council on partnership and external bodies (as required by statute or the Council).</p> <p>Returning Officer for County Council elections.</p> <p>Clerk to the Lord Lieutenancy of Cambridgeshire.</p> <p>Chief Executive's Office and support to the Chair and Vice-Chair of Council.</p> <p>Voting member of the Cambridgeshire and Peterborough Integrated Care System.</p>

Commented [NM1]: Entire chapter moved to G1, subject to the following tracked changes

Commented [NM2]: Heading removed due to new structure

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Executive Director of Finance and Resources (Statutory Section 151 Officer)	<p>Statutory Section 151 financial management and administration responsibilities; medium term financial strategy and budgetary planning, treasury management, pension fund management; financial monitoring and reporting; education finance; financial closedown and statement of accounts.</p> <p>Property and asset management; facilities management; buildings compliance.</p> <p>Procurement and Commercial Services.</p> <p>Information Technology and Digital Services.</p> <p>Customer Services.</p> <p>Local Government Shared Services lead authority functions for financial transactions; insurance.</p> <p>Shared Services and Joint Working Agreement / Section 113 management of shared services with Peterborough City Council.</p>
Service Director: Legal and Governance (Statutory Monitoring Officer)	<p>Statutory Monitoring Officer and Legal Services, including externally commissioned legal advice.</p> <p>Internal Audit and Risk Management.</p> <p>Information Governance and Data Protection.</p> <p>Democratic and Member Services.</p> <p>Oversight of Council's client relationship with Pathfinder Legal Services Limited.</p>
Executive Director for Children, Education and Families (Statutory Director of Children's Services)	<p>Children's social care, including statutory Director of Children's Services, covering child protection, safeguarding and children in care; Children's Services (including youth services and children centres, fostering and adoption services).</p> <p>Education; school improvement; educational capital and place planning, special education needs and inclusion.</p>

Executive Director for Adults, Health and Commissioning (Statutory Director of Adult Social Services)	<p>Adult social care, including statutory Director of Adult Social Services functions, covering: adult social care learning disability services; physical disability services, adult safeguarding; older people's services; mental health.</p> <p>Commissioning and contract management for social care and health functions.</p> <p>Public Health, including population health and wellbeing, health improvement, and health protection.</p>
Executive Director of Place and Sustainability	<p>Highways and transportation, including transport authority functions, highways maintenance, capital programme delivery, network strategy and management, road safety and transport policy.</p> <p>Planning, Natural Environment and Heritage Services, climate change and energy policy.</p> <p>Digital connectivity programme for the County.</p> <p>Waste Management and Recycling.</p> <p>Community Safety.</p> <p>Regulatory Services, including Trading Standards, Registration and Coroner Services.</p>
Executive Director of Strategy and Partnerships	<p>Legal and Governance Services, including Internal Audit and Risk Management, Information Governance and Data Protection; Democratic and Member Services, Elections management support to the County Returning Officer.</p> <p>Human Resources, including Organisational Learning and Development; Health and Safety; Equality, Diversity and Inclusion.</p> <p>Communications, including media relations, internal communications, programme communications, stakeholder engagement and web / social media communications.</p> <p>Business Continuity, Resilience and Emergency Management and Planning, including Local Resilience Forum participation and leadership for the County Council as a category 1 Civil Contingencies Act agency.</p> <p>Corporate policy, partnerships and business planning,</p>

	<p>corporate programme and project management and transformation support, business intelligence, statutory performance reporting and management, research, insight and analysis.</p> <p>Libraries, Adult and Community Skills and Learning, Community Engagement and Participation Services.</p> <p>Business Support Services.</p>
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(c) Statutory Officers ~~Head of Paid Service, Monitoring Officer, Section 151 Officer and Proper Officer~~

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There is a legal requirement to allocate some specific responsibilities to officers and the Council has designated the following posts, which will have the functions described in ~~Article 11.02 – 11.04 below~~ sections 3.3-3.5 of this chapter:

Post	Designation
Chief Executive	Statutory Head of Paid Service and County Returning Officer.
Service Director of Legal and Governance	Statutory Monitoring Officer and solicitor to the Council.
Executive Director of Finance and Resources	Statutory Section 151 Officer.
Proper officer	The term 'proper officer' is used in many different statutes. Therefore, it is appropriate for different officers to fulfil this role depending on the context. As such, unless otherwise stated in the Constitution, the proper officer shall in each case be the person nominated by the Chief Executive for that particular purpose.

(d) Structure. The Head of Paid Service shall determine, subject to Council approval, and publicise a description of the overall departmental structure of the Council showing the management structure and deployment of officers. ~~This is set out at Part 7 of the Constitution, as follows.~~

11.02 Functions of the Head of Paid Service

(a) Discharge of Functions by the Council. The Head of Paid Service shall report to Full Council, or an appropriate committee, on the manner in which the

discharge of the Council's functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.

- (b) Restrictions on Functions. The Head of Paid Service may not be the Monitoring Officer but may hold the post of Section 151 Officer if a qualified accountant.
- (c) Exemptions from Political Restrictions: The Head of Paid Service will be responsible for considering applications from officers for exemption from political restriction in respect of the post held by that officer.

11.03 Functions of the Monitoring Officer

- (a) Maintaining the Constitution. The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by members, staff and the public.
- (b) Ensuring Lawfulness and Fairness of Decision-Making. After consulting with the Head of Paid Service and Section 151 Officer, the Monitoring Officer will report to the Council if they consider that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.
- (c) Providing Advice. To act as the solicitor to the Council and in consultation with the Head of Paid Service and the Section 151 Officer, to provide advice on the scope of powers and authority for the Council to take decisions, maladministration, probity and governance issues, to all councillors and to support and advise councillors and officers in their respective roles.
- (d) Supporting the Constitution and Ethics Committee. The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Constitution and Ethics Committee. This will include making arrangements for the hearing of allegations against members concerning breaches of the Code of Conduct.

The Monitoring Officer shall also support the Constitution and Ethics Committee in ensuring the Council's Constitution is fit for purpose and in this role, shall keep it under review and make recommendations as to how it might be amended to better achieve the purposes set out in Article 1 or in response to changes in law.

- (e) Conducting Assessments. In the case of allegations that a councillor has breached the Members' Code of Conduct, the Monitoring Officer and the Council's Independent Person shall conduct an initial assessment of complaint and make a decision as to whether the complaint warrants investigation or any other action.

- (f) Conducting Investigations. Where allegations of breaches of the Members' Code of Conduct are referred for investigation, the Monitoring Officer shall make arrangements for the conduct of such investigations and report the findings to the Constitution and Ethics Committee.
- (g) Proper Officer for Access to Information. The Monitoring Officer shall ensure that decisions of the Council and its committees, together with the reasons for those decisions, and relevant officer reports and background papers are made publicly available as soon as possible.
- (h) Advising whether Decisions are within the Budget and Policy Framework. The Monitoring Officer will advise whether decisions of the Council and its committees are in accordance with the Budget and Policy Framework.
- (i) Providing Advice. The Monitoring Officer shall provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework issues to all Councillors.
- (j) Qualified Person. The Monitoring Officer shall determine whether information should be exempt from disclosure under the provisions of Section 36 of the Freedom of Information Act 2000.
- (k) Restrictions on Posts. The Monitoring Officer cannot be the Section 151 Officer or the Head of Paid Service.

11.04 Functions of the Section 151 Officer

- (a) Ensuring Lawfulness and Financial Prudence of Decision Making. After consulting with the Head of Paid Service and the Monitoring Officer, the Section 151 Officer will report to the Council or its committees and to the Council's external auditor if they consider that any proposal, decision or course of action will involve incurring unlawful expenditure or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.
- (b) Administration of Financial Affairs. The Section 151 Officer shall have responsibility for the administration of the financial affairs of the Council.
- (c) Contributing to Corporate Management. The Section 151 Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.
- (d) Providing Advice. In consultation with the Monitoring Officer, the Section 151 Officer will provide advice on the scope of powers and authority to take decisions regarding financial matters, financial maladministration, financial impropriety, probity and Budget and Policy Framework issues to all councillors and will support and advise councillors and officers in their respective roles.

(e) Give Financial Information. The Section 151 Officer will provide financial information to the media, members of the public and the community.

(f) Restriction on Post. The Section 151 Officer cannot be the Monitoring Officer but may hold the post of Head of Paid Service.

11.05 Duty to Provide Sufficient Resources to the Monitoring Officer and Section 151 Officer

Commented [NM6]: Heading removed due to new structure

The Council ~~shall has the duty to~~ provide the Monitoring Officer and Section 151 Officer with such officers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed.

11.06 Conduct

Officers will comply with ~~the Officers' Code of Conduct and the Protocol on Member/Officer Relations set out in Part 5 Chapter G3 (Officers' Code of Conduct) and Chapter F3 (Member/Officer Protocol)~~ of the Constitution.

11.07 Employment

The recruitment, selection and dismissal of officers will comply with ~~the Officer Employment Procedure Rules set out in Part 4 Chapter G4 (Officer Employment Procedure Rules)~~ of the Constitution.

Article 12 – Decision Making

Commented [NM1]: Entire chapter moved to A2, subject to the following tracked changes

12.01 Responsibility for Decision Making

Commented [NM2]: Heading removed due to new structure

The Council shall issue and keep up to date a record of what part of the Council or individual has responsibility for particular types of decisions or decisions relating to particular areas or functions. This record is set out in [Part 3 Part C \(Full Council\)](#), [Part D \(Committees\)](#) and [Chapter G2 \(Scheme of Delegations to Officers\)](#) of the Constitution.

12.02 Principles of Decision Making

All decisions of the Council, or taken by or on behalf of the Council, will be made in accordance with the following principles:

- (a) Action taken must be proportionate to the desired outcome;
- (b) Professional advice from officers must be considered;
- (c) Respect for human rights, in line with equalities and human rights legislation, must be demonstrated;
- (d) There must be a presumption in favour of openness, in line with the Freedom of Information Act 2000;
- (e) There must be a clear aim and desired outcome; and
- (f) Alternative options must be considered alongside documented reasoning behind the decision made.

Principles of Decision Making

Commented [NM3]: Heading removed due to new structure

12.03 Types of Decision

- (a) Decisions reserved to Full Council. Decisions relating to the functions listed in [Part 3A Chapter C1 \(Role of Full Council\)](#) of this constitution shall be made by the Full Council and not delegated.

- (b) Key Decisions

A key decision is one which:

- (i) Results in the Council incurring expenditure or making savings, in a single transaction or a related series of transactions, in excess of £500,000; and/or
- (ii) Is significant in terms of its effect on the community living or working in an

area of Cambridgeshire.

(c) Other decisions

12.04 Decision Making by the Full Council

Subject to [Article 12.06 Section 4.7 of this chapter](#), the Council meeting shall follow the Council Procedure Rules set out in [Part 4 Chapter C2 \(Council Procedure Rules\)](#) of the Constitution when considering any matter.

12.05 Decision Making by Committees and Sub-Committees Established by the Council

Subject to [Article 12.06 Section 4.7 of this chapter](#), Council committees and sub-committees shall follow those parts of the [Council Committee Procedure Rules](#) set out in [Part 4 Chapter D2 \(Committee Procedure Rules\)](#) of the Constitution as apply to them.

12.06 Decision Making by Council Bodies Acting as Tribunals

The Council, a councillor or an officer acting as a tribunal or in a quasi-judicial manner or determining/considering (other than for the purposes of giving advice) the civil rights and obligations or the criminal responsibility of any person shall follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention on Human Rights.

Article 13 – Finance, Contracts and Legal Matters**Commented [NM1]:** Entire chapter moved to A2, subject to the following tracked changes**13.01 Financial Management and Contracts**

The management of the Council's financial affairs, including the letting and management of contracts, will be conducted in accordance with the Financial and Contract Procedure Rules set out in [Part 4 Chapter G6 \(Scheme of Financial Management\)](#) and [Chapter G7 \(Contract Procedure Rules\)](#) of ~~this the~~ constitution.

13.02 Legal Proceedings

The Monitoring Officer is authorised to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Council or in any case where the Service Director of Legal and Governance considers that such action is necessary to protect the Council's interests.

13.03 Authentication of Documents

Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by the Service Director of Legal and Governance or any other person they have authorised, unless any enactment otherwise authorises or requires, or the Council has given requisite authority to some other person.

13.04 Common Seal of the Council

The common seal of the Council will be kept in a safe place in the custody of the Service Director of Legal and Governance. A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The common seal will be affixed to those documents which in the opinion of the Service Director of Legal and Governance should be sealed. The affixing of the common seal will be attested by the Service Director of Legal and Governance or some other person they have authorised.

Article 14 – Review and Revision of the Constitution

Commented [NM1]: Entire chapter moved to A1, subject to the following tracked changes

14.01 Duty to Monitor and Review the Constitution

The Chief Executive and Monitoring Officer shall monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.

14.02 ~~Protocol for Monitoring and Review of Constitution by the Monitoring Officer~~

Commented [NM2]: Subheading removed due to new location

A key role for the Monitoring Officer is to be aware of the strengths and weaknesses of the Constitution adopted by the Council, and to make recommendations for ways in which it could be amended in order better to achieve the purposes set out in [Article 1 Section 2 of this chapter](#). In undertaking this task, the Monitoring Officer may:

- (a) Observe meetings of different parts of the member and officer structure;
- (b) Undertake an audit trail of a sample of decisions;
- (c) Record and analyse issues raised with them by members, officers, the public and other relevant stakeholders; and
- (d) Compare practices in this authority with those in other comparable authorities, or national examples of best practice.

14.03 Changes to the Constitution

- (a) ~~Approval~~ Changes to the Constitution will only be approved by the Full Council after receipt of a written report following consideration of the proposal by the Chief Executive and Monitoring Officer, and usually on the recommendation of the Constitution and Ethics Committee, unless the change is such that it can be made by the Monitoring Officer under delegated powers.
- (b) ~~C~~[When drawing up proposals to](#) change from a committee form of governance to an alternative form of governance, or vice versa, ~~the~~ the Council must take reasonable steps to consult with local electors and other interested persons in the area ~~when drawing up proposals~~.

Commented [NM3]: Removed as unnecessary and to improve understanding.

Article 15 – Suspension, Interpretation and Publication of the Constitution

Commented [NM1]: Entire chapter moved to A1, subject to the following tracked changes

15.01 Suspension of the Constitution

- (a) Limit to Suspension: The ~~articles~~ [chapters](#) of this constitution may not be suspended. The rules specified below may be suspended by the Full Council to the extent permitted within those rules and the law.
- (b) Procedure to Suspend: A motion to suspend any rules will not be moved without notice unless at least one half of the whole number of serving councillors are present. The extent and duration of suspension will be proportionate to the result to be achieved, taking account of the purposes of the Constitution set out in ~~Article 4~~ [Section 2 of this chapter](#).
- (c) Rules Capable of Suspension: The only rules that may be suspended in accordance with ~~Article 15.01~~ [this chapter](#) are the Council Procedure Rules.

15.02 Interpretation

The ruling of the Chair of Full Council as to the construction or application of this constitution or as to any proceedings of the Council shall not be challenged at any meeting of the Council. Such interpretation shall have regard to the purposes of the Constitution contained in ~~Article 4~~ [Section 2 of this chapter](#).

15.03 Publication

- (a) When a member is first elected to the Council, the Democratic Services Manager shall send an e-mail link to the electronic version of the Constitution to that member once the Democratic Services Manager has received the member's declaration of acceptance of office. The Democratic Services Manager shall also offer to provide a paper copy of the Constitution on request.
- (b) The Democratic Services Manager shall ensure that copies are available for inspection at the Council's principal offices and can be purchased by members of the local press and the public on payment of a reasonable fee. It shall also be available on the internet.
- (c) The Democratic Services Manager shall ensure that the Constitution as published on the Council's website shall be kept up to date.

Part 3A – Allocation of Responsibility for Functions – Full Council and Committees

Commented [NM1]: Entire chapter moved to C1, subject to the following tracked changes

1. Introduction

~~This Part of the constitution deals with the allocation of responsibility for undertaking the functions of the Council.~~ Full Council is the primary decision-making body of the Council and as such is responsible for the exercise of all the functions that are the responsibility of the local authority.

Commented [NM2]: Removed due to new structure

However, in order to operate more effectively as an organisation, Full Council delegates many of its decision-making powers to committees, officers, and other local authorities, as set out in the following chapters of the constitution:

- (i) Part D – Committees;
- (ii) Part E – Joint Arrangements; and
- (iii) Chapter G2 – Scheme of Delegations to Officers.

Commented [NM3]: Drawn from section 3 of this chapter and amended according to new structure

2. Council Functions

Only the Council will exercise the following functions:

- (a) Adopting and changing the constitution.
- (b) Approving or adopting the policy framework and the budget.
- (c) Subject to the urgency procedure contained in ~~the Access to Information Procedure Rules in Part 4 Chapter B3 (Access to Information Procedure Rules)~~ of ~~this the~~ constitution, making decisions about any matter in the discharge of a committee function which is covered by the policy framework or the budget where the decision-making body is minded to make it in a manner which would be contrary to the policy framework or contrary to, or not wholly in accordance with, the budget.
- (d) Approving changes to any plan or strategy which form part of the Council's policy framework, unless:
 - (i) That change is required by the Secretary of State or any government minister where the plan or strategy has been submitted to ~~him them~~ for approval; or
 - (ii) Full Council specifically delegated authority in relation to these functions when it approved or adopted the plan or strategy.

- (e) Establishing or dissolving a Council committee or other body of the Council, or altering its composition and/or membership (including the position of chair and vice-chair) at any time unless otherwise required by statute. The appointment of all committees and other bodies shall be reconsidered at its annual meeting and it shall not appoint any member of a body to hold office later than the next annual meeting of the Council.
- (f) Appointing the chair and vice-chair of each of the six policy and service committees, Audit and Accounts Committee, Pension Fund Committee and Planning Committee.
- (g) Appointing the Chair and Vice-Chair of the Strategy, Resources and Performance Committee, who will also fulfil the respective roles of Leader and Deputy Leader of the Council.
- (h) Appointing representatives to outside bodies unless the appointment has been delegated by the Council.
- (i) Making appointments to the Fire Authority.
- (j) Approving the Annual Senior Officer Pay Policy Statement.
- (k) Adopting a Members' Allowances Scheme.
- (l) Changing the name of the area.
- (m) Conferring the title of Honorary Alderman/woman.
- (n) Confirming the appointment of, and dismissing, the Head of Paid Service, the Monitoring Officer and the Section 151 Officer.
- (o) Making any request to the Local Government Boundary Commission for England for single-member electoral areas.
- (p) Passing any resolution to change the County's electoral scheme.
- (q) Making an order to give effect to recommendations made in a community governance review.
- (r) Making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal bills.
- (s) Delegating significant functions to other local authorities as described in [Article 10-Part E](#) of the constitution.
- (t) Amending the Scheme of Delegation to Officers set out in [Part 3D-Chapter G2](#) of the constitution.

(u) Approving the Council's Petitions Scheme set out in [Part 4.1 Chapter B2](#) of the constitution.

(v) All other matters which, by law, must be reserved to Council.

3. [Delegation of Functions by Full Council](#)

Commented [NM4]: Heading removed due to new structure

[The functions which Full Council delegates to committees, officers, and other local authorities are set out below:](#)

[Part 3B – Committees of Council](#)

[Part 3C – Joint Committees](#)

[Part 3D – Scheme of Delegation to Officers](#)

[Part 3E – Shareholder Rights in Pathfinder Legal Services Limited](#)

Commented [NM5]: Merged with Section 1 of this chapter and amended according to new structure

Part 3B – Responsibility for Functions – Committees of Council

Commented [NM1]: Entire chapter moved to D1, subject to the following tracked changes

Committees

~~In order to undertake its functions in a more efficient way Full Council establishes a number of committees to which it delegates authority to oversee and make decisions relating to operation of its functions.~~

Commented [NM2]: Removed due to duplication

Full Council determines the size and the delegated authority of the committees and in some cases is responsible for the appointment of the chair and vice-chair. The seats on committees are allocated in accordance with the rules on political proportionality and the party groups are responsible for nominating councillors from the group to fill the seats.

~~This part describes the committees that the Council has established and includes details of their membership and delegated authority for decision making. The composition, membership, functions and delegated authorities for decision making of each of these committees are set out in Part D of the constitution.~~

1. Strategy, Resources and Performance Committee

Commented [A1]: Entire chapter moved to D4, subject to the following tracked changes

Membership

Fifteen members of the Council. The Chair and Vice-Chair of the Strategy, Resources and Performance Committee shall be appointed by Full Council and shall be, ex officio, the Council Leader and Deputy Council Leader.

Summary of Functions

The Strategy, Resources and Performance Committee is authorised by Full Council to co-ordinate the development to Full Council of the Strategic, Policy and Budget Framework, as described in [Article 4 of the Constitution Chapter C3 \(Budget and Policy Framework\)](#), including in-year adjustments.

The committee has delegated authority to exercise the County Council's functions in respect of the following:

- (a) Oversight of corporate functions, including those in the Finance and Resources, and Strategy and Partnerships Directorates, as well as the Chief Executive's office.
- (b) Development and performance management of the Council's IT and Digital Strategy.
- (c) Oversight of content and performance of the Council's portfolio of major projects.
- (d) Development and oversight of the Council's performance framework and risk strategies.
- (e) Development and oversight of the Council's People (workforce) Strategy.
- (f) Oversight of the Council's strategies and resources to ensure they support the improvement of health outcomes and a reduction in health inequalities.

In addition, the Strategy, Resources and Performance Committee is authorised to make decisions on the allocation of matters amongst committees where the function does not clearly fall within the remit of one particular committee.

Delegated Authority	Delegation/ Condition
Authority to lead the development of the Council's Strategic and Policy Framework and to recommend cross-cutting policies for approval by Full Council.	In consultation with relevant service committees
As part of the Council's strategic framework, authority to lead the development of the Council's draft Business Plan (budget), to consider responses to consultation on it, and inform the draft Business Plan to be submitted for approval by Full Council.	In consultation with relevant service committees
To lead the development of key relationships for the Council with external organisations and partners to enable the delivery of effective outcomes through new business ventures, collaborations, and delivery vehicles.	
To oversee the discharge of the Council's treasury management activity and to forward monitoring reports to the Full Council twice yearly.	
Authority for nine members of Strategy, Resources and Performance Committee to initiate a review of a decision taken by a Policy and Service Committee by submitting a request for review to the Service Director: Legal and Governance (Monitoring Officer) or Chief Executive before the expiry of three full working days from the date on which the decision notice was published.	
Authority to determine an appeal against any decision by or on behalf of the authority except for those appeals whose determination falls with the remit of another committee, officer, or panel of the Council.	
Authority to nominate representatives to outside bodies other than the Combined Authority, Greater Cambridge Partnership, Cambridgeshire and Peterborough Fire Authority, Cambridgeshire Police and Crime Panel, the County Councils Network Council and the Local Government Association.	
Authority to lead the Council's work to support sustainable economic growth across the County and through the partnership with the Cambridgeshire and Peterborough Combined Authority.	
Authority to determine the Council's involvement in and representation on County Advisory Groups. The Committee may add to, delete, or vary any of these advisory groups, or change their composition or terms of reference.	

Delegated Authority	Delegation/ Condition
Authority to review annual reports and inspection reports not within the remit of another committee.	
Authority for monitoring and ensuring that Policy and Service Committees operate within the policy direction of the County Council and making any appropriate recommendations.	
Authority for monitoring and reviewing the overall performance of the Council against its Business Plan.	
Authority to determine the most appropriate committee for considering any matter which falls within the remit of more than one committee.	
Authority to respond to any consultations within the remit of more than one committee as and when required.	
Authority for managing those functions relating to elections and local democracy which are not reserved to Full Council.	
<p>Authority for oversight and operation of 'corporate' services, for example:</p> <ul style="list-style-type: none"> (i) The Council's Internal and External Communications Policy and its implementation; (ii) The Council's portfolio of major projects and change initiatives; (iii) Information governance including but not limited to data protection and Freedom of Information; (iv) The Council's Customer Strategy and any matters dealt with by the Contact Centre, via digital channels or face-to-face; (v) The Council's Risk Management Strategy; (vi) The Council's Performance Management Strategy; (vii) The Council's IT and Digital Strategy; (viii) The Council's People (workforce) Strategy; and (ix) The Council's emergency planning and business continuity arrangements. 	

Delegated Authority	Delegation/ Condition
Authorising budget virement which is not covered within the limits of virement contained in the Council's financial rules, provided there is no change in the approved policy framework of the Council. Virement limits are set out in the Constitution in Part 3D (Scheme of Delegation to Officers) and Part 4-5 (Financial and Contract Procedure Rules) Chapter G2 (Scheme of Delegations to Officers) and Chapter G5 (Financial and Contract Procedure Rules).	
Authorising proposals which are not covered by the finance limits of the executive directors' delegated powers contained in A3 – A7, as set out in the table in section 7.2 of Chapter G2 (Scheme of Delegations to Officers) Part 3D (Scheme of Delegation to Officers) , provided there is no change in the Council's approved Budget and Policy Framework.	
Responsibility for the discharge of all functions and exercise of all powers of the County Council not expressly reserved to the Full Council or to any other part of the County Council by statute or by the Constitution.	
Authority to contribute to the Council's duties relating to public health by assessing the health implications of decisions, seeking synergies and avoiding harmful health impacts, in order to improve population health and health equity.	

2. Adults and Health Policy and Service Committee

Commented [A1]: Entire chapter moved to D5, without any changes

Membership

Fifteen members of the Council. The Chair and Vice-Chair of the committee shall be appointed by Full Council.

The Chair of the Adults and Health Committee will be designated the Lead Councillor for Adult Services in accordance with the 'Best Practice Guidance on the Role of the Director of Adult Social Services' (Department of Health 2006).

Five non-voting co-opted district councillors, one from each district council in Cambridgeshire. District councils shall be invited to nominate one member and one substitute. The usual rules for substitution as set out in the Council Procedure Rules shall apply.

Summary of Functions

This committee has delegated authority to exercise the Council's functions relating to the delivery, by or on behalf of the County Council, of the following social care services to eligible adults within Cambridgeshire:

- (a) Services for people with physical disability;
- (b) Services for people with learning disability;
- (c) Mental health services;
- (d) Preventative services;
- (e) Residential care;
- (f) Older people;
- (g) Carer support;
- (h) Safeguarding.

This committee also has delegated authority to exercise the Council's functions in respect of the following:

- (a) The County Council's public health duty, including:
 - (i) Health improvement,
 - (ii) Individual and community wellbeing,

(iii) Reduction of health inequalities.

- (b) Review the strategies and policies proposed by other committees to ensure that they support the improvement of health and a reduction in health inequalities.
- (c) Responding as appropriate to central government consultation relating to policy or legislation falling within the remit of the committee.
- (d) The review and scrutiny of any matter relating to the planning, provision and operation of the health services in Cambridgeshire.
- (e) To report to the Secretary of State for Health on any proposals for substantial change to any part of the NHS's services within Cambridgeshire.

Delegated Authority	Delegation/ Condition
Authority to take decisions relating to exercising management, oversight and the delivery of all the Council's relevant adult social care services (i.e. social care services for people aged 18 or over with eligible social care needs and their carers), except for those decisions which are reserved to Full Council.	
Authority to undertake the Council's functions for promoting choice and independence in the provision of all adult social care.	
Authority to approve all strategies associated with the committee portfolio area which are not reserved for Full Council.	
Authority to respond, as appropriate, on behalf of the Council to government consultation in respect of policy and/or legislation affecting adult social care.	
Authority to take decisions relating to exercising management, oversight and the delivery of all the Council's public health services for the population.	
Authority to exercise the powers conferred by 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) to review and scrutinise any matter relating to the planning provision and operation of the health service in its area.	

Authority to request, via a request call-in form, that the Secretary of State consider calling in a proposal to vary or reconfigure local health service provision.	
Authority to delegate its functions under Section 7 of the Health and Social Care Act 2001 as amended by the Health and Social Care Act 2012 to a joint overview and scrutiny committee when this is required by the direction issued by the Secretary of State for Health in July 2003 or is conducive to the efficient scrutiny of proposals affecting more than one social services local authority area.	
Authority to appoint members to a joint overview and scrutiny committee established under the paragraph above.	Political balance requirements apply
Authority to assist the Director of Public Health in the exercise of the public health statutory duties set out in <ul style="list-style-type: none"> (i) Health and Social Care Act 2012; (ii) NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012; (iii) NHS Act 2006; (iv) Criminal Justice Act 2003; (v) Licensing Act 2003; (vi) Water Industry Act 1991; (vii) Water Industry Act 1988; (viii) Mental Health Act 1983; (ix) Mental Capacity Act 2005. 	
Authority to oversee and undertake the Council's functions relating to the public health duty of the Council including health improvement, individual and community wellbeing, and the reduction of health inequalities.	
Authority to nominate representatives to outside bodies other than the Combined Authority, Greater Cambridge Partnership, Cambridgeshire and Peterborough Fire Authority, the County Councils Network Council and the Local Government Association.	
Authority to respond, as appropriate, on behalf of the Council to government consultation in respect of policy and/or legislation affecting any of the responsibilities falling with the remit of the Adults and Health Committee.	

Authority to respond to consultations by relevant NHS commissioning bodies and relevant health service providers on substantial reconfiguration proposals. Where the Committee has established or appointed members to a joint health overview and scrutiny committee (JHOSC), this authority to respond may be delegated to that JHOSC, in consultation with the Chair and Vice-Chair of the Adults and Health Committee.	
Authority to review and advise on any strategies and policies proposed by the Council's committees to ensure that they will support and contribute to the delivery of improvement in health individual and community wellbeing and a reduction in health inequalities.	
<p>Authority to consider and respond to any referrals made to the Council by the local Healthwatch. This will include:</p> <ul style="list-style-type: none"> (a) Acknowledging receipt of the referral within 20 working days beginning with the date on which the referral was made; and (b) Keeping the referrer informed of any action taken in relation to the matter. 	
Authority to set up task and finish groups in support of the committee's statutory health scrutiny function.	

3. Children and Young People Policy and Service Committee

Commented [NM1]: Entire chapter moved to D7, subject to the following tracked changes

Membership

Fifteen members of the Council. The chair and vice-chair of the committee shall be appointed by Full Council.

One Church of England diocesan representative and one Roman Catholic diocesan representative shall be co-opted as non-elected members with voting rights on:

- (a) Matters which relate to schools maintained by the local authority; and
- (b) Matters which relate to pupils who are educated in schools maintained by the local education authority, or who are educated by the local education authority otherwise than at school.

The Chair of the Children and Young People Committee will be designated the Lead Councillor for Children and Young People's Services in accordance with Section 19 of the Children Act 2004.

Summary of Functions

This committee has delegated authority to exercise all the Council's functions, save those reserved to Full Council, relating to the delivery, by or on behalf of, the County Council, of services relating to children and young people ensuring that they contribute to improvements in health outcomes and reduction in health inequalities. These include:

- (a) Child protection
- (b) Children's centres
- (c) Education, schools and settings
- (d) Children in care and leaving care
- (e) Mental health services
- (f) Safeguarding
- (g) Special Educational Needs & Disabilities (SEND)
- (h) Youth Offending Services
- (i) Youth services
- (j) Social and Education Transport

Delegated Authority	Delegation/Condition
Authority for exercising management, oversight and delivery of services to children and young people in relation to their care, wellbeing, education or health, with the exception of any powers reserved to Full Council.	
Authority for the functions and powers conferred on or exercisable by the County Council as local authority in relation to the provision of education.	
Authority for working with all schools including academies in relation to raising standards of attainment and developing opportunities.	
Authority for exercising management, oversight and delivery of Learning Outside of the Classroom and environmental education.	
Authority for exercising management, oversight and delivery of Early Years services, including children's centres.	
Authority for exercising management, oversight and delivery of Enhanced and Preventative Services and Children's Social Care.	
Authority for exercising management, oversight and delivery of the Youth Offending Service.	
Authority to take decisions relating to exercising management, oversight and the delivery of all the Council's public health services for children and their communities.	
Authority for approval of all strategies associated with the committee portfolio area that are not reserved to Full Council.	
Authority to nominate representatives to outside bodies other than the Combined Authority, Greater Cambridge Partnership, Cambridgeshire and Peterborough Fire Authority, the County Councils Network Council and the Local Government Association.	
The making of arrangements in relation to appeals against the exclusion of pupils from maintained schools. (Section 52 of the Education Act 2002, appeals against exclusion of pupils))	Delegated to the Executive Director: People Services for Children, Education and Families

Delegated Authority	Delegation/Condition
The making of arrangements for admissions appeals. (Section 94(1), (1A) and (4) of the School Standards and Framework Act 1998).	Delegated to the Executive Director: People Services for Children, Education and Families
The making of arrangements for appeals by governing bodies (Section 95(2) of the School Standards and Framework Act 1998 (children to whom section 87 applies)).	Delegated to the Executive Director: People Services for Children, Education and Families
Authority to contribute to the Council's duties relating to public health by assessing the health implications of decisions, seeking synergies and avoiding harmful health impacts, in order to improve population health and health equity.	
Authority to assist the Director of Public Health in the exercise of the public health statutory duties set out in (i) Health and Social Care Act 2012 (ii) NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012 (iii) NHS Act 2006	

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 Chair and Vice-Chair of the sub-committee shall be selected and appointed by the Children and Young People Committee.

Two non-voting co-opted young people with recent (within the last five years), 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 Chapter D2 \(Committee Procedure Rules\)](#) shall apply.

Summary 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 with the exception of policy decisions which will remain with the Children and Young People's Committee.

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 the local authority in relation to corporate parenting operational matters, excluding policy decisions.	
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.	

<p>Authority for exercising management, oversight and delivery of services to looked after children, former looked after children and care leavers including:</p> <ul style="list-style-type: none"> (i) District and countywide Early Help and social work services; (ii) Fostering and adoption services; (iii) Commissioning of external services; (iv) Residential and outreach services; (v) Contact services. 	
<p>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.</p>	
<p>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.</p>	
<p>Authority for working with the Integrated Care Board 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.</p>	

4. Environment and Green Investment Policy and Service Committee

Commented [NM1]: Entire chapter moved to D9, without any changes

Membership

Fifteen members of the Council. The Chair and Vice-Chair of the Committee shall be appointed by Full Council.

Summary of Functions

Delegated authority to exercise all the County Council's functions, not otherwise reserved to Full Council, relating to energy and the environment within Cambridgeshire.

Delegated Authority	Delegation/ Condition
Authority for exercising all powers and implementing all strategies associated with the Council's climate change, sustainable development, energy and environment functions which are not otherwise reserved for Full Council or any other body.	
Authority to respond, as appropriate, on behalf of the Council to government consultation in respect of policy and/or legislation affecting planning, clean growth, energy and the environment and its impact upon health outcomes and health inequalities.	
<p>Authority for exercising the Council's functions in respect of all areas covering the following:</p> <ul style="list-style-type: none"> (i) To oversee the funding and implementation of the Climate Change and Environment Strategy, its targets and action plan including the development of new policies that may be required to support delivery including engaging and encouraging residents, businesses, community and voluntary groups and other authorities and all stakeholders to adopt environmentally sustainable measures as well as supporting health and wellbeing outcomes; (ii) County planning – minerals and waste; (iii) Historic environment; (iv) Flood and water management; (v) Clean energy and green investments; (vi) Growth and development policy and management, including the 	

Delegated Authority	Delegation/ Condition
<p>Council's position on major planning and applications and s106 negotiations;</p> <p>(vii) Waste management including the waste contract;</p> <p>(viii) RECAP (Recycling in Cambridgeshire and Peterborough Partnership);</p> <p>(ix) Greening the Council's finances and investments and using this to support and develop green innovation;</p> <p>(x) Management of the capital projects within the Committee's portfolio as agreed within the Council's Business Plan;</p> <p>(xi) Funding bids as they relate to the Committee;</p> <p>(xii) Decarbonisation of transport, land and buildings; and</p> <p>(xiii) Identification and management of strategic and project based climate and environmental risks for Council's assets, its service delivery and the wider community.</p>	
To recommend to Council and monitor the Council's Climate Change and Environment Strategy and Environment Fund.	
Authority to exercise the statutory functions in relation to the scrutiny of flood risk management under the provisions of the Flood and Water Management Act 2010.	
To respond as necessary to consultations and proposals relating to the Oxford to Cambridge Arc, including the Spatial Framework and any government plans for new settlements.	
Authority to nominate representatives to outside bodies other than the Combined Authority, Greater Cambridge Partnership, Cambridgeshire and Peterborough Fire Authority, the County Councils Network Council and the Local Government Association.	
To lead the development and growth of environment income streams including those that generate sufficient surplus for investment in further opportunities and to help offset costs of other activities.	
Greening finance - Ensure current and future financial risks and opportunities from climate and environmental factors are integrated into mainstream financial decision making.	

Delegated Authority	Delegation/ Condition
Accelerate and test green finance and new business models to support the delivery of the UK's and Council's carbon targets and doubling nature ambitions, to secure deeper and faster change to benefit our communities.	
To oversee development of staff and councillor skills to deliver a net-zero carbon and an improved natural capital future.	
Authority to appraise and monitor all energy, low carbon (including nature based solutions) investments and renewable schemes.	
To act as the shareholder on behalf of the Council in relation to Swaffham Prior Community Heat Network Limited.	
Authority to exercise functions in relation to production and supply of heat under the provisions of the Local Government (Miscellaneous Provisions) Act 1976.	
To lead the Council's work in shaping policy and priorities for sustainable economic growth across the County, working with partners, including the Combined Authority, Greater Cambridge Partnership and district councils.	
Authority to lead the Council's development and delivery of the digital infrastructure strategy for Cambridgeshire to drive economic growth, help communities thrive and make it easier to access public services. Working in partnership with government and the Combined Authority.	
Authority to contribute to the Council's duties relating to public health by assessing the health implications of decisions, seeking synergies and avoiding harmful health impacts, in order to improve population health and health equity.	

5. Communities, Social Mobility and Inclusion Policy and Service Committee

Commented [A1]: Entire chapter moved to D8, without any changes

Membership

Fifteen members of the Council, subject to proportionality. The Chair and Vice-Chair of the Committee shall be appointed by Full Council.

Summary of Functions

The Communities, Social Mobility and Inclusion Committee is authorised by Full Council to deliver the County Council's ambition to build stronger communities, combat deprivation and promote social inclusion working together with the Mayor, the Combined Authority, the Integrated Care System, district councils and other partners to design and deliver services which best meet the needs of, and ensure equality of, opportunities within those communities.

Authority to set and implement a Cambridgeshire-wide Equality, Diversity and Inclusion Strategy and associated policies.

Authority to lead the Council's role in understanding the drivers of social mobility in Cambridgeshire, and set policies aimed at creating opportunity through targeted policies, investment of resources and community engagement.

Authority to lead the Council's role in ensuring all residents and communities, including those that might otherwise be excluded, marginalised or isolated, have equal access to services, opportunities, information and support, regardless of their background or circumstances, including:

- (a) Ensuring that all residents and communities have opportunities to thrive and succeed, regardless of location, background, ethnicity, gender, physical or mental health, disability, and any other factors, including those with care experience.
- (b) Ensuring that all residents and communities have opportunities to improve their health and address any health inequalities.
- (c) Advising Council's service committees and directorates on all matters associated with inequalities within communities.
- (d) Ensuring Council services are delivered and are available to all of our residents, regardless of their background or circumstances.
- (e) Ensuring we demonstrate good practice with respect to equalities, diversity and inclusion within our own workforce.

- (f) Working closely with partner organisations across all sectors to meet the needs of all residents, especially those who are excluded or marginalised, including asylum seekers and refugees.
- (g) Leading the Council's work, alongside key partner agencies, to remove discrimination and intolerance from our society and tackle hate crime in all its forms.
- (h) Leading the Council's responsibilities as part of relevant legislation, including Prevent.

Delegated Authority	Delegation/ Condition
<p>Authority to oversee a place based approach to the delivery of community services working with the Combined Authority, district councils, the Integrated Care System and other partners and in particular to:</p> <ul style="list-style-type: none"> (i) Develop and implement joint plans with the Combined Authority, district councils, the Integrated Care System and other partners for the delivery of community place-based services in accordance with the agreed outcomes; (ii) In consultation with the Combined Authority, district councils, the Integrated Care System and other partners, recommend joint investment in community projects, within available resources, that are designed to help manage the demand for high cost services in accordance with the agreed outcomes; (iii) Develop and recommend business cases and plans to devolve services, budgets and assets for communities, and implement subject to Council's approval of the associated business cases in accordance with the agreed outcomes; and (iv) Decide on funding to be made available for community initiatives through the Cambridgeshire Priorities Capital Fund. 	<p>Subject to confirmation from the Section 151 Officer of the availability of sufficient resources.</p>
<p>Authority to develop, with the Combined Authority, district councils, the Integrated Care System 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</p>	

Delegated Authority	Delegation/ Condition
County Council.	
<p>Authority to exercise the Council's functions in respect of all areas covering the following:</p> <ul style="list-style-type: none"> • Asylum Seekers, Migrants and Refugees • Adult careers information and guidance • Adult skills • Anti-poverty • Community learning • Libraries • Archives • Cultural Services • Registration Service • Coroner Service • Trading Standards • Community safety (including domestic abuse and sexual violence) • Community development and resilience • Prevent and hate crime • Homelessness prevention • Equality, Diversity, Inclusion and Community Cohesion 	
Authority to agree proposed revisions to library byelaws for submission to the Department for Digital, Culture, Media & Sport (DCMS) for approval.	Final approval required from DCMS
Authority to contribute to the Council's duties relating to public health by assessing the health implications of decisions, seeking synergies and avoiding harmful health impacts, in order to improve population health and health equity in the delivery of services for the community.	
Authority to agree or revise a scheme for the delivery of registration services. (Registration Services Acts 1952 and 2007)	In consultation with the General Register Office
Authority to nominate representatives to outside bodies other than the Combined Authority, Greater Cambridge Partnership, Cambridgeshire and Peterborough Fire Authority, Cambridgeshire Police and Crime Panel, the County Councils Network Council and the Local Government Association.	
Authority for oversight, operation and review of the Council's response to its equalities' duties.	

6. Highways and Transport Policy and Service Committee

Commented [NM1]: Entire chapter moved to D10, subject to the following tracked changes

Membership

Fifteen members of the Council. The Chair and Vice-Chair of the committee shall be appointed by Full Council.

Summary of Functions

Delegated authority to exercise the County Council's functions, other than those reserved to Full Council, in relation to transport and sustainable transport solutions.

Delegated Authority	Delegation/ Condition
Authority for exercising all powers and implementing all strategies associated with the Council's highways functions which are not otherwise reserved for Full Council or any other body.	
Authority to respond, as appropriate, on behalf of the Council to Government consultation in respect of policy and/or legislation affecting transportation and its impact upon health outcomes and health inequalities.	
Authority for exercising all functions of the Council relating to the following: <ul style="list-style-type: none"> • Major infrastructure delivery projects (transport, highways and cycling) • Transport and infrastructure policy; • Transport and infrastructure funding; • Street lighting contracts; • Parking services; • Road, streets, cycleways and paths maintenance – routine and reactive, operations and enforcement; • Local Highway Improvement Initiative; • Gritting, verge cutting and other routine works; • Traffic management systems and regulations; • Road safety; • Maintaining highways and rights of way records; • Asset Management and information; • Highways services contracts; • Public transport; • Cambridgeshire Guided Busway Operations; • Park and Ride; • Travel for work; • Managing the Highways Capital Programme; 	

Delegated Authority	Delegation/ Condition
<ul style="list-style-type: none"> Funding bids. 	
Authority to approve the annual Parking Operations Report.	
Authority to nominate representatives to outside bodies other than the Combined Authority, Greater Cambridge Partnership, Cambridgeshire and Peterborough Fire Authority, the County Councils Network Council and the Local Government Association.	
Authority to approve the Transport Delivery Plan within the County's administrative boundary, in accordance with the relevant policies of the authority and within the budget allocated for the purpose.	
<p>Authority to exercise, in accordance with the relevant policies of the authority and within the budget allocated for the purpose, the powers of the County Council regarding the following issues within the County's administrative boundary:</p> <p>Authority to approve the Transport Delivery Plan</p> <p>Authority to determine traffic regulation orders/statutory notices where the completion of the statutory consultation process results in objections, as per the relevant highway, road traffic regulation and traffic management legislation, with the exception of traffic regulation orders/statutory notices sought as part of a Greater Cambridge Partnership (formerly City Deal) infrastructure scheme.</p> <p>A "Greater Cambridge Partnership infrastructure scheme" is defined as a project arising from the Greater Cambridge Partnership which has all of the following characteristics:</p> <ul style="list-style-type: none"> has been, and remains, designated by the Greater Cambridge Partnership Executive Board as a Greater Cambridge Partnership infrastructure scheme; and is, or has been, funded in whole or in part by funds received by Cambridgeshire County Council under the auspices of the Greater Cambridge Partnership or allocated to the Greater Cambridge Partnership Executive Board by participating authorities. 	Executive Director of Place and Sustainability, in consultation with the Local Members.
Authority to contribute to the Council's duties relating to public health by assessing the health implications of decisions, seeking synergies and avoiding harmful health impacts, in order to improve population health and health equity.	

Commented [NM2]: Delegation separated from below delegation

7. Audit and Accounts Committee

Commented [A1]: Entire chapter moved to D11, without any changes

Membership

Seven members of the Council.

The Audit and Accounts Committee shall be entitled to appoint up to three people at any one time as non-voting co-opted members of the committee. The committee shall determine whether the co-options shall be effective for a specified period, for specific meetings or for specific items. The committee may not co-opt any person who is an active member of any political party, defined as any person who engages in political activities which would not be permissible if that person was an officer holding a politically-restricted post within the Council. Co-options may only be made if the person co-opted has particular knowledge or expertise in the functions for which the committee is responsible.

The Committee will meet at least four times a year, and will maintain the technical capability to discharge the Audit and Accounts Committee responsibilities of the Council.

Summary of Functions:

- (a) To provide independent assurance of the adequacy of the risk management framework and the associated control environment.
- (b) To provide independent scrutiny of the authority's financial and non-financial performance to the extent that it affects the authority's exposure to risk and weakness of the control environment.
- (c) To support the maintenance of effective arrangements for financial reporting and review the statutory statements of account and any reports that accompany them.
- (d) To monitor the effectiveness of the system of internal control, including arrangements for internal audit, external audit, financial management, ensuring value for money, risk management, governance, assurance statements, supporting standards and ethics, and managing the authority's exposure to the risks of fraud and corruption.
- (e) To enhance and promote the profile, status and authority of the internal audit function and to demonstrate its independence.
- (f) To contribute towards making the authority, its committees and departments more responsive to the audit function.
- (g) To review compliance with the relevant standards, codes of practice and corporate governance policies.

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- (h) To consider the extent to which the authority's control environment is successful in achieving value for money.

Delegated Authority	Delegation / Condition
<p>Audit Activity:</p> <ul style="list-style-type: none"> (i) To approve the Internal Audit strategy and monitor its progress, overseeing the independence, objectivity and performance of the internal audit function and its conformance to professional standards. (ii) To approve, but not direct, Internal Audit's annual plan of work and monitor unscheduled work that could potentially divert audit resources away from a plan, and monitor performance against those plans, ensuring that there are no inappropriate scope or resource limitations. (iii) To consider the Annual Report and opinion of the Head of Audit and Risk Management and a summary of internal audit activity and the level of assurance it can give over the Council's corporate governance arrangements. (iv) To consider summary internal audit reports and the main issues arising, and seek assurance that action has been taken where necessary. (v) To consider reports dealing with the management and performance of the internal audit function. (vi) To consider reports from Internal Audit on agreed recommendations not implemented within reasonable timescales. (vii) To consider the Annual Audit Letter, relevant reports and the reports of those charged with governance. (viii) To consider specific reports as agreed with the external auditor to ensure agreed action is taken within reasonable timescales. (ix) To comment on the scope and depth of the external audit work and to ensure it gives value for money. (x) To liaise with Public Sector Audit Appointments Limited over the appointment of the Council's external auditor. (xi) To consider the opinion, reports and recommendations of inspection agencies relevant to the Council (such as Ofsted, the Information Commissioner's Office, etc.), and their implications for governance, risk management or control, and monitor management action in 	

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Delegated Authority	Delegation / Condition
<p>response to the issues raised.</p> <p>(xii) To suggest work for internal and external audit.</p> <p>(xiii) To support effective arrangements for internal audit, promote the effective use of internal audit within the assurance framework, and to undertake an annual review of the effectiveness of the system of Internal Audit.</p> <p>(xiv) To support effective relationships between all providers of assurance, audits and inspections, and the organisation, encouraging openness to challenge, review and accountability.</p>	
<p>Regulatory Framework:</p> <p>(i) To maintain an overview of the Council's constitution in respect of contract procedure rules, financial regulations, codes of conduct etc.</p> <p>(ii) To review any issue referred to it by the Chief Executive, executive directors or any committee of the Council.</p> <p>(iii) To monitor the effective development and operation of risk management and corporate governance throughout the Council.</p> <p>(iv) To monitor Council policies on “raising concerns at work” and anti-fraud and anti-corruption policies, including the Council's complaints process, and to approve any changes regarding the Council's Whistle-blowing Policy, Anti-Fraud and Corruption Policy, Anti-Money Laundering Policy and associated arrangements.</p> <p>(v) To oversee the production of the Council's Annual Governance Statement and recommend its adoption.</p> <p>(vi) To consider the arrangements for corporate governance, and assurance across the Council's full range of operations and collaborations with other entities, and to agree necessary actions to ensure compliance with best practice.</p> <p>(vii) To consider the Council's compliance with its own and published standards and controls.</p> <p>(viii) To report as appropriate to Full Council, relevant Policy and Service Committees and the Constitution and Ethics Committee on issues which require their attention or further action.</p>	

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Audit and Accounts Committee

Delegated Authority	Delegation / Condition
<p>(ix) To bring to the attention of the Strategy, Resources and Performance Committee any issue which may warrant further consideration or review.</p> <p>(x) To receive and approve proposals regarding the Council's exercise of powers covered by the Regulation of Investigatory Powers Act.</p>	
<p>Accounts:</p> <p>(i) To review and approve the Annual Statement of Accounts.</p> <p>(ii) Specifically to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.</p> <p>(iii) To consider the External Auditor's Report to those charged with the governance issues arising from the audit of the accounts.</p>	
<p>Risk Management</p> <p>(i) To understand the risk profile of the Council and consider the effectiveness of the Council's risk management arrangements.</p> <p>(ii) To seek assurances that action is being taken on risk-related issues, with the right to request reports and seek assurances from relevant officers.</p> <p>(iii) To be satisfied that the Council's-accountability statements, including the Annual Governance Statement, properly reflect the risk environment and any actions required to improve it, and demonstrate how governance supports the achievement of the authority's objectives.</p>	

8. Constitution and Ethics Committee

Commented [A1]: Entire chapter moved to D12, without any changes

Membership

Nine members of the Council, including the Vice-Chair of Council, who shall chair the committee. The Vice-Chair of the Constitution and Ethics Committee shall be elected by the committee.

Hearings Sub-Committees

The Monitoring Officer in consultation with the Chair of Constitution and Ethics Committee shall appoint, as and when necessary, hearings sub-committees to consider and determine complaints against county councillors alleging that they have breached the Members' Code of Conduct.

Hearings sub-committees shall comprise three members of the Constitution and Ethics Committee including either the Chair or Vice-Chair. The membership of the sub-committee shall, as far as practicable, be politically proportionate.

Delegated Authority	Delegation/ Condition
Authority to oversee the operation of the Council's Constitution and authority to make recommendations to Full Council as to amendments and improvements to the Council's Constitution, including the codes and protocols.	Subject to the receipt and consideration of a report prepared by the Monitoring Officer
Authority to hear and determine complaints against members alleging breaches of the Members' Code of Conduct.	Delegated to Hearings Sub-Committee
Authority to issue a sanction against a member found to be in breach.	Delegated to Hearings Sub-Committee
Authority to oversee and approve the operation of the Council's functions relating to the promotion and maintenance of high standards of conduct amongst members and co-opted members of the County Council including: Approving and issuing guidance to members; (i) Making recommendations to Full Council regarding the suggested amendment of the Members' Code of Conduct; (ii) Approving training to be provided to members in the Code of Conduct; (iii) Monitoring the operation of the Code of Conduct.	

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Constitution and Ethics Committee

Authority to approve the granting, to any County Council employee, of a dispensation in relation to disqualification from political activities.	Local Government and Housing Act 1989
Authority to select and to appoint persons as members of the County Council's Independent Remuneration Panel.	
Authority to select and recommend to Council persons for appointment as an Independent Person.	
Authority to receive and approve proposals regarding the Council's exercise of powers covered by the Regulation of Investigatory Powers Act.	
Authority to issue dispensations to any member in respect of statutory and non-statutory disclosable interests.	Delegated to Monitoring Officer

9. Pension Fund Committee

Commented [A1]: Entire chapter moved to D13, subject to the following tracked changes

Membership

Representatives of	Number of seats	Term of Appointment	Method of Appointment
Cambridgeshire County Council Members	6	4 years from County Council elections	Determined by Cambridgeshire County Council Full Council.
All other local authorities, police and fire	2	4 years	Nominations determined by a leaders/chief executives' group. Selection would be linked to the respective employers' election cycle. Details of process to be agreed by the Chair.
All other employers	1	4 years	Nominations to be determined by eligible employers. Details of process to be agreed by the Chair.
Active scheme members	1	4 years	Determined by Unison. Where Unison fails to nominate a committee member for any period of six months or more, nominations will be requested from all eligible active scheme members and a representative will be picked following interviews. Details of process to be agreed by the Chair.
Deferred and pensioner scheme members	1	4 years	Determined by Unison. Where Unison fails to nominate a committee member for any period of six months or more, nominations will be requested from all eligible deferred and pensioner scheme members and a representative will be picked following interviews. Details of process to be agreed by the Chair.
Total Committee Members	11		

Substitutes: Full Council may appoint substitute members to the Pension Fund Committee in accordance with the scheme of substitution.

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Pension Fund Committee and Board

Delegated Authority	Statutory Reference/ Condition
<p>Authority to set the Pension Fund's objectives and determine and maintain appropriate strategies, policies and procedures with ongoing monitoring in relation to the following areas:</p> <ul style="list-style-type: none"> (i) Funding Strategy – Ongoing monitoring and management of the liabilities including ensuring appropriate funding plans are in place for all employers in the fund, overseeing the triennial valuation and interim valuations, and working with the actuary in determining the appropriate level of employer contributions for each employer. (ii) Investment strategy – To determine the fund's investment objectives and to set and review the long-term high level investment strategy to ensure these are aligned with the fund's specific liability profile and risk appetite and to oversee the delivery of the investment strategy by the LGPS ACCESS Joint Committee. (iii) Administration Strategy – The administration of the fund including collecting payments due, calculating and paying benefits, gathering from and providing information to scheme members and employers. (iv) Communications Strategy – Determining the methods of communications with the various stakeholders including scheme members and employers. (v) Discretions – Determining how the various administering authority discretions are operated for the fund. (vi) Governance - The key governance arrangements for the fund, including representation. (vii) Risk Management Strategy – To include regular monitoring of the fund's key risks and agreeing how they are managed and/or mitigated. 	Regulations under the Superannuation Act 1972
<p>Authority to approve and apply the policy on, and to take decisions relating to, employers joining and leaving the fund. This includes which employers are entitled to join the fund, any requirements relating to their entry, ongoing monitoring and the basis for leaving the fund.</p>	As above

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Delegated Authority	Statutory Reference/ Condition
Authority to agree the terms and payment of bulk transfers into and out of the fund in consultation with the Section 151 Officer.	As above
Authority to consider and approve business plans at least annually and monitor progress against them and to monitor compliance with the Myers Principles on an annual basis.	As above
Authority to develop and maintain a training policy for all Pension Fund Committee and Sub-Committee members and for all officers of the fund, including determining the fund's knowledge and skills framework, identifying training requirements, developing training plans and monitoring attendance at training events.	Regulations under the Superannuation Act 1972
Authority to select, appoint, monitor and where necessary terminate advisors to the fund not solely relating to investment matters.	As above
Authority to approve and issue administering authority responses to consultations on LGPS matters and other matters where they may impact on the fund or its stakeholders.	As above
Authority to consider and determine where necessary, alternative investment strategies for participating employers.	As above
Authority to oversee the work of the Investment Sub-Committee and consider any matters put to them by the Investment Sub-Committee.	As above
Authority to set up sub-committees and task and finish groups including jointly with other LGPS administering authorities.	As above
Authority to review and amend the strategic investment policies on an appropriate regular basis, in consultation with the Section 151 Officer.	As above
Authority to manage any other strategic or key matters pertaining to the Fund not specifically listed above.	As above
Production of an annual report for consideration by the Council.	

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Delegated Authority	Statutory Reference/ Condition
<p>In relation to pooled asset arrangements under the LGPS ACCESS Joint Committee:</p> <ul style="list-style-type: none"> (i) Determining the requirements of the administering authority in relation to the provision of services by LGPS ACCESS to enable it to execute its investment strategy effectively; (ii) Receiving and considering reports from the LGPS ACCESS Joint Committee in order to ensure that the fund's investor rights and views are represented appropriately; and (iii) Ensuring arrangements are in place to identify and manage the risks and costs associated with investment pooling. 	

9.1 Pension Fund Committee Investment Sub-Committee

The Pension Fund Committee shall establish an Investment Sub-Committee with the following membership and powers:

Membership

All Investment Sub-Committee members shall be drawn from committee membership including substitutes. The Chair and Vice-Chair of the Investment Sub-Committee shall be the Chair and Vice-Chair of the committee respectively.

Representatives of	Number of seats	Term of Appointment	Method of Appointment
Cambridgeshire County Council Members	4	As above	Determined by Cambridgeshire County Council representatives on the Committee. Details of process to be agreed by the Chair.
All other employers	2	Up to term of office ceasing in accordance with Committee membership or six years whichever is later	Determined by non-Cambridgeshire County Council employer representatives at the Committee. Details of process to be agreed by the Chair.
Scheme member representative	1	Up to term of office ceasing in accordance with Committee membership or six years whichever is later	By agreement between active and deferred/pensioner representatives on Committee. Details of process to be agreed by the Chair.
Total	7		

Substitutes: The Pension Fund Committee may appoint substitute members to the Investment Sub-Committee in accordance with the scheme of substitution. Similarly, substitutes for the representatives of all other employers and of scheme members may be appointed by eligible employers and by Unison respectively.

Delegated Authority	Statutory Reference/ Condition
Authority to implement the fund's investment strategy including setting benchmarks and targets for the investment pool operator and reviewing performance against those benchmarks.	Regulations under the Superannuation Act 1972

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Delegated Authority	Statutory Reference/ Condition
Authority to review and maintain the asset allocation of the fund within parameters agreed with the Pension Fund Committee.	As above
Authority to appoint and terminate investment managers to the fund and to monitor the performance of investment managers leading to review and decisions on termination where necessary where this is not undertaken by the LGPS ACCESS Joint Committee.	As above
Authority to appoint and monitor and where necessary terminate external advisors and service providers solely relating to investment matters, for example, the fund custodian, independent investment advisers, investment consultants and investment managers where this is not undertaken by the LGPS ACCESS Joint Committee.	Regulations under the Superannuation Act 1972
Authority to set benchmarks and targets for the fund's investment managers where this is not undertaken by the LGPS ACCESS Joint Committee.	As above
Authority to monitor the risks inherent in the fund's investment strategy in relation to the fund's funding level.	As above
Authority to monitor and review: <ul style="list-style-type: none"> (i) Legislative, financial and economic changes relating to investments and their potential impact on the fund; (ii) The investment management fees paid by the fund and to implement any actions deemed necessary; (iii) The transactions costs incurred by the fund across its investment mandates and raise relevant issues and concerns with the investment providers as necessary; (iv) The investment providers' adoption of socially responsible investment considerations, on an annual basis, including corporate governance matters and a review of compliance with the UK Stewardship Code. 	As above
Authority to receive reports from investment providers.	As above
Authority to undertake any task as delegated by the Pension Fund Committee.	As above

9.2 Pension Fund Board

The Council shall establish a local pension board with the following membership and powers:

Membership

Representatives of	Number of seats	Term of Appointment	Method of Appointment
Employers	3	4 years or until qualification for membership ceases	At least two representatives to be appointed by Cambridgeshire County Council Full Council One representative appointed via an open and transparent selection process.
Scheme Members	3	4 years or until qualification for membership ceases	To be appointed via an open and transparent selection process.
Total	6		

The Chair and Vice-Chair of the Board shall be elected by the Pension Fund Board.

Summary of Functions

Delegated Authority	Statutory Reference/ Condition
Authority to assist the administering authority in securing compliance with (i) the Principal 2013 Regulations, (ii) any other legislation, and (iii) requirements imposed by the Pensions Regulator in relation to the scheme.	Local Government Pension Scheme (Amendment) Regulations 2014 (Regulation 106(1)(a) & (b))
Authority to assist the administering authority in ensuring the effective and efficient governance and administration of the scheme.	As above (Regulation 106(1)(b))

Rules of Procedure for the Pension Fund Committee, Investment Sub-Committee and Pension Fund Board

The Council's Rules of Procedure set out in [Part 4-Chapter D2 \(Committee Rules of Procedure\)](#) of the Constitution apply to the Pension Fund Committee, the Investment Sub-Committee and Pension Fund Board, except where they concern the following matters:

- Frequency of meetings;
- Appointment of Chair and Vice-Chair;
- Voting rights;
- Quorum; or
- Training requirement.

In which case the rules are modified as necessary to accommodate the provisions set out in the table below.

Frequency of Meetings	<p>The Pension Fund Committee will meet a minimum of five times a year. The date, hour and place of routine meetings shall be fixed by the committee, but the Chair may call additional meetings if deemed necessary.</p> <p>The Investment Sub-Committee will meet a minimum of four times a year. The date, hour and place of routine meetings shall be fixed by the committee, but the Chair of the Sub-Committee may call additional meetings if deemed necessary.</p> <p>The Local Pension Fund Board will meet a minimum of four times a year. The date, hour and place of routine meetings shall be fixed by the board, but the Chair may call additional meetings if deemed necessary.</p>
Chair and Vice-Chair's Term of Office	<p>The normal term for the Pension Fund Committee and Board's chair and vice-chair shall be one year subject to earlier removal by vote of the Pension Fund Committee or Board respectively.</p>
Voting Rights	<p>All Pension Fund Committee members, Investment Sub-Committee members and Local Pension Fund Board members shall have the right to vote in their respective meetings.</p>
Quorum	<p>5 (1/3 plus 1) committee members shall form a quorum for meetings of the Pension Fund Committee.</p> <p>4 (1/3 plus 1) Investment Sub-Committee members shall form a quorum for meetings of the Investment Sub-Committee.</p> <p>3 (1/3 plus 1) Board members shall form a quorum for meetings of the Local Pension Fund Board (shall include at</p>

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	least one each from the employer and member sides). No business requiring a decision shall be transacted at any meeting of the Pension Fund Committee or Investment Sub-Committee or Local Pension Fund Board unless the meeting is quorate. If it arises during the course of a meeting that a quorum is no longer present, the chair shall either suspend business until a quorum is re-established or declare the meeting at an end and arrange for the completion of the agenda at the next meeting or at a special meeting.
Training Requirement	Members may not take part in meetings of the Pension Fund Committee, Investment Sub-Committee or Local Pension Fund Board unless they have complied with any training requirements set out by the Chair of the Pension Fund Board or for Board members as set out in the Public Services Pensions Act.

Cambridgeshire Pension Fund Board (Standing Orders)

1. Notice of Meetings

Meetings of the Pension Fund Board will be convened by the administering authority, who will also arrange the clerking and recording of meetings (a member of the County Council's Democratic and Members' Services Team will act as clerk). Officers from the Pensions Service will provide pension fund information to the board.

The agenda and papers for meetings must be available at least five clear working days before the meeting.

2. Chair

A Chair and Vice-Chair will be appointed by the employer and member representatives of the board from among their own number but not from the same sector of representatives.

The role of the Chair is to ensure meetings are properly conducted, decision making is clear and professional advice is followed. The Chair will agree the agenda and approve the minutes for each meeting.

Either or both the Chair and Vice-Chair, or a substitute board member from the same side (i.e. employer or scheme member representative), will be present at interviews to recruit members of the board.

3. Other members

The board may appoint other members with the agreement of the administering authority. Other members will not have voting rights on the board.

4. Reporting

The Board should in the first instance report its requests, recommendations or concerns to the Pension Fund Committee.

On receipt of a report, the Pension Fund Committee should, within a reasonable period, consider and respond to the board.

Where the board is not satisfied with the response received it may request that a notice of its concern be placed on the website and in the Pension Fund's annual report.

Where the board is satisfied that there has been a breach of regulation which has been reported to the Pension Fund Committee and has not been rectified within a reasonable period of time it is under an obligation to escalate the breach.

The appropriate internal route for escalation is to the Monitoring Officer and the Section 151 Officer.

The board may report concerns to the LGPS Scheme Advisory Board for considering subsequent to, but not instead of, using the appropriate internal route for escalation.

Board members are also subject to the requirements to report breaches of law under the act and the code [and the whistleblowing provisions set out in the administering authority's whistle blowing policy].

The board will publish an annual report of its activities for that year and include it part of the Pension Fund's annual report.

5. Board Knowledge and Understanding

Every individual who is a member of the board must be conversant with:

- (a) The rules of the Local Government Pension Scheme; and
- (b) Any document recording policy about the administration of the fund which is for the time being adopted in relation to the fund.

Every individual who is a member of the board must also have knowledge and understanding of:

- (a) The law relating to pensions; and
- (b) Such other matters as may be prescribed.

The board shall establish and maintain a Knowledge and Understanding Policy and Framework to address the knowledge and understanding requirements that apply to board members under the act.

6. Members' Conduct

The board should at all times act in a reasonable manner in the conduct of its purpose. [Part 5 \(Codes and Protocols\) Chapter F2 \(Members' Code of Conduct\)](#) of the Council's Constitution will therefore apply to all members of the board.

The board should always act within its terms of reference and standing orders.

7. Termination of Membership

Local Pension Fund Board membership may be terminated prior to the end of the term of office due to:

- (a) A member representative appointed on the basis of their membership of the scheme no longer being a scheme member in the Pension Fund;
- (b) A member representative no longer being a scheme member or a representative of the body on which their appointment relied;

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- (c) An employer representative no longer holding the office or employment or being a member of the body on which their appointment relied;
- (d) A board member no longer being able to demonstrate to the administering authority their capacity to attend and prepare for meetings or to participate in required training;
- (e) The representative being withdrawn by the nominating body and a replacement identified;
- (f) A board member has a conflict of interest which cannot be managed in accordance with the Code of Conduct;
- (g) A board member who is an elected member becomes a member of the Pensions Committee;
- (h) A board member who is an officer of the administering authority becomes responsible for the discharge of any function of the administering authority under the regulations.

8. Role of Advisors

The Local Pension Fund Board will seek alternative routes for advice prior to outside advisors being commissioned at considerable cost. The approval of the Section 151 Officer is required if the board needs to pay advisers.

9. Urgent Items of Business and the Publication of Information

The board will follow the requirements of the Local Government Access to Information Act 1985 as set out in the Administering Authority's Constitution.

10. Working Groups/Sub-Committees

The board will have the power to set up working groups/sub committees if appropriate.

11. Expenses

Board members will be able to claim reasonable expenses from the Pension Fund if claimed within two months.

Travel by private vehicles will be reimbursed at the rates set for tax allowance purposes by Her Majesty's Revenue and Customs for business travel. Currently these are 45p per mile for the first 10,000 miles and 25p a mile thereafter and an additional 5p per mile where a passenger is carried.

Parking fees and public transport fares will be reimbursed at cost on production of a valid ticket or receipt. In the case of travel by rail, standard class fare or actual fare paid (if less) will be reimbursed.

12. Public Access to Board Meetings and Information

The Board meetings can be open to the general public (unless there is an exemption under the relevant legislation which would preclude part (or all) of the meeting from being open to the general public.

The following will be entitled to attend Board meetings in an observer capacity:

- (a) Members of the Pension Fund Committee;
- (b) Any person requested to attend by the board.

Any such attendees will be permitted to speak at the discretion of the Chair.

10. Planning Committee

Commented [NM1]: Entire chapter moved to D14, without any changes

Membership

Nine members of the Council.

Delegated Authority	Delegation/Condition
<p>Authority to exercise the Council's powers and functions in relation to:</p> <ul style="list-style-type: none"> • Development Control • The Planning (Hazardous Substances) Regulations 1992 • Applications under the Commons Registration Act 1965 and the Commons Act 2006 • Rights of Way 	<p>See Scheme of Delegation to Officers and to Area Committees</p>
<p>To undertake the Council's functions in relation to Minerals and Waste Local Development Documents</p>	<p>Subject to approval of the policy framework by Full Council</p> <p>See Scheme of delegation to Officers</p>

11. Staffing and Appeals Committee

Commented [A1]: Entire chapter moved to D15, subject to the following tracked changes

Membership

Nine members of the Council. The Chair and Vice-Chair of the Staffing and Appeals Committee shall be selected and appointed by the Staffing and Appeals Committee.

When determining the remuneration policy for Cambridgeshire County Council employees, the committee shall be advised by the Chief Executive and the Assistant Director, HR Services, or their nominees. The committee may, having sought the advice of the Assistant Director, HR Services, choose to be advised by an external independent adviser.

N.B. The Chair of the Staffing and Appeals Committee shall be authorised to approve the co-option of representatives from partner agencies onto the committee in a non-voting capacity, where this is considered relevant to the appointment being made.

Summary of Functions

The committee has delegated authority to exercise the Council's functions in respect of all matters, save those otherwise reserved to other bodies, relating to the employment of the Council's officers and contractors including determining the terms and conditions of employment.

Delegated Authority	Delegation/ Condition
<p>Authority to determine the policy regarding the remuneration of statutory and non-statutory chief officers (including deputies) of Cambridgeshire County Council; and to implement and make decisions pursuant to and in accordance with that policy.</p> <p>For the avoidance of doubt the term statutory and non-statutory chief /deputy chief officers has the same meaning as that contained in S.2 (6), (7) and (8) of the Local Government and Housing Act 1989.</p>	<p>Subject to the approval of Full Council where required</p>
<p>Authority to undertake the selection of and to appoint statutory officers and executive directors in accordance with the Council's Officer Employment Procedure Rules Chapter G4 (Officer Employment Procedure Rules).</p>	<p>Subject to the approval of Full Council where required</p>
<p>Authority to consider appeals against disciplinary sanctions short of dismissal in relation to the Chief Executive, Monitoring Officer or Section 151 Officer as detailed in the Disciplinary Procedure for Statutory Officers.</p>	

Authority to act as an Independent Panel to advise Council in the event of a recommendation from the Service Appeals Sub-Committee acting as the Investigating and Disciplinary Committee (IDC) to dismiss a relevant officer.	
Authority to co-opt two Independent Persons, including if appropriate appointed by other local authorities, to the Independent Panel to advise Council in the event of a recommendation from the Service Appeals Sub-Committee acting as the Investigating and Disciplinary Committee (IDC) to dismiss a relevant officer.	
Authority for making arrangements with other authorities for the placing of staff at the disposal of those authorities. (Section 113 of the Local Government Act 1972).	Chief Executive and executive directors
Authority for the approval of pay, terms and conditions of service and training of employees except for approving the Annual Senior Officer Pay Policy Statement which is reserved to the Full Council.	Chief Executive
Authority to recommend to Council the Chief Officer Pay Policy Statement.	
Authority for oversight of the Council's functions in connection with employee relations including arrangements for consultation/ negotiation with trades unions.	
Authority to approve proposals from the Head of Paid Service in relation to the overall staffing structure/restructure of the Council.	Chief Executive
Authority to oversee the work of service appeals sub-committees and consider any matters put to them by the service appeals sub-committee.	

11.1 Service Appeals Sub-Committee

The Staffing and Appeals Committee shall establish service appeals sub-committees as required with the following membership and powers:

Membership

Any three members (including substitutes) of the Staffing and Appeals Committee, subject to political proportionality.

The Monitoring Officer, in consultation with the Chair of the Staffing and Appeals Committee, shall make arrangements for convening the sub-committee including invitation of members to form a service appeals sub-committee as and when required.

Summary of Functions

A service appeals sub-committee has delegated authority to hear and determine all appeals arising in relation to decisions made by the County Council in the course of its activities other than those undertaken by another body. The remit of the sub-committee includes appeals by service users.

Delegated Authority	Delegation/ Condition
Authority to determine appeals against the non-payment of discretionary awards to students.	
Authority to determine complaints about curriculum and related matters. under the terms of Section 409 of the Education Act 1996.	
Authority to determine appeals against decisions not to provide free or subsidised home to school or college transport.	
Authority to consider appeals in relation to the licensing of approved premises for marriages and other civil ceremonies.	
Authority to determine appeals against decisions of the authority to remove a person from acting as the local authority's representative on the governing body of a school or other educational establishment.	

Authority to act as Investigating and Disciplinary Committee (IDC) to consider and disciplinary issues in relation to the Chief Executive, Monitoring Officer or Section 151 Officer as detailed in the Disciplinary Procedure for Statutory Officers, including responsibility for the suspension of “the relevant officers” where deemed appropriate or necessary. No member of a Service Appeals Sub-Committee acting as an IDC may be a member of the Staffing and Appeals Committee acting as an Appeals Committee or Independent Panel.	
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12. Cambridgeshire & Peterborough Health and Wellbeing Board

Commented [NM1]: Entire chapter moved to E2, subject to the following tracked changes

Introduction

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

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

Membership

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

Health and Wellbeing Board Members

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

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

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

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

Integrated Care Partnership Board Members

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

~~⁴ Denotes statutory members of the Health and Wellbeing Board as required by Section 194 of the Health and Social Care Act 2012. There is a statutory requirement for at least one local authority councillor and at least one representative of the ICS NHS Board, to be a member of the HWB.~~

Summary of Functions

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

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

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

Cambridgeshire & Peterborough Health and Wellbeing Board (Standing Orders)

1. Co-optees

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

2. Notice of Meetings

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

3. Chair

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

4. Quorum

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

5. Appointment of Substitute Members

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

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

6. Decision Making

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

7. Meeting Frequency

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

8. Supply of information

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

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

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

9. Status of Reports

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

10. Press Strategy

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

11. Members' Conduct

[Part 5 – Codes and Protocols of the Chapter F2 \(Members' Code of Conduct\)](#) in Cambridgeshire County Council's Constitution applies to all elected and 'co-opted' members of the board including those attending as substitutes. The Clerk will ensure that a register of members interest is held for all members including the Integrated Care Partnership.

12. Amendment of the Terms of Reference

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

13. Governance and Accountability

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

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

14. Reporting

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

13. Assets and Procurement Committee

Commented [A1]: Entire chapter moved to D6, without any changes

Membership

Fifteen members of the Council, subject to proportionality. The Chair and Vice-Chair of the Committee shall be appointed by Full Council.

Summary of Functions

The committee has delegated authority to exercise the County Council's functions in respect of the following:

- (a) Development and performance management of a Procurement and Commercial strategy which focuses on financial, social and environmental return on the Council's third party spending.
- (b) Development and performance management of the Council's land and property management strategies.
- (c) Take decisions or delegate decisions around procurement / land and property decisions where the value exceeds £500k.

Delegated Authority	Delegation/ Condition
To recommend to Council and monitor the Council's Land & Property Strategy, including its Asset Management Plan, social and environmental (including carbon) Frameworks.	In consultation with the relevant service committee and Full Council
Authority to lead the development of the Council's Procurement & Commercial Strategy, as well as its Social and Environmental Value Framework	In consultation with the relevant service committee
To review the Council's asset portfolio to identify opportunities and develop policies to reduce the financial impact on the Council's operating position and strengthen its financial sustainability and ensure investment is consistent with the policies and principles of the Council.	In consultation with the relevant service committee

Delegated Authority	Delegation/ Condition
To consider, evaluate, and agree property disposals (overseeing any public consultation where it is applicable/in line with policy), acquisitions, and investment opportunities.	In consultation with the relevant service committee
To work with officers to facilitate/promote the development of proposals for sharing property with partner organisations. Including to consider and approve the use of Council owned assets by the local community and / or other interested parties.	In consultation with the relevant service committee
To review and regularly consider the Council's estate safety.	In consultation with the relevant service committee
To consider and make recommendations to the Council for property rationalisation proposals that are outside of the agreed Business Plan.	In consultation with the relevant service committee
To supervise the Council's utilisation of assets and properties and its activities as a "corporate landlord".	In consultation with the relevant service committee
To approve variations, renewal, and termination of leases, licenses, dedications, and easements in accordance with delegations, including County farm business tenancies.	In consultation with the relevant service committee
To monitor all commercial and property investment proposals included within the Business Plan to ensure successful delivery.	In consultation with the relevant service committee
Authority to exercise the functions conferred by the Agriculture Act 1970 in relation to the County Farms Estate.	

Delegated Authority	Delegation/ Condition
To exercise all and any of the Council's rights as shareholder of all wholly owned and joint venture companies which are not otherwise the responsibility of another committee. This includes the Property SPV This Land Limited and its subsidiaries.	The Committee may authorise the Section 151 Officer to exercise these rights in appropriate circumstances, including urgency, in consultation with the Chair and Vice-Chair
To oversee and ensure strong procurement governance, pipeline, skills and practice across the council.	
To award corporate and non-service based contracts in line with constitutional delegations.	
Regularly review the Council's Contract Procedure Rules and delegations and recommend to Full Council changes to rules and/or delegations as appropriate.	In consultation with the relevant service committee and Full Council
Authority to nominate representatives to outside commercial bodies. This excludes appointment to the Combined Authority, Greater Cambridge Partnership, Cambridgeshire and Peterborough Fire Authority, Cambridgeshire Police and Crime Panel, the County Councils Network Council and the Local Government Association.	
Authority to contribute to the Council's duties relating to public health by assessing the health implications of decisions, seeking synergies and avoiding harmful health impacts, in order to improve population health and health equity.	

13.2 Shareholder Sub-Committee

A Shareholder Sub-Committee of the Assets and Procurement Committee with the following membership and powers:

Membership

Any five members (including substitutes) of the Assets and Procurement Committee, subject to political proportionality. The Chair and Vice-Chair of the sub-committee shall be selected and appointed by the Assets and Procurement Committee.

Summary of Functions

The sub-committee has delegated authority to exercise all the Council's functions relating to oversight of Council-owned companies, with the exception of policy decisions, which will remain with the Assets and Procurement Committee.

Delegated Authority	Delegation/Condition
Authority to approve the business plan and any other shareholder functions, including any delegated decisions made by the shareholder representative.	
Authority to monitor key performance indicators for each company emerging from the Business Plan.	
Authority to review risks relating to commercial investments, tolerance for risk, ownership of risks and processes for managing risk.	
Authority to review the governance of Council-owned companies.	

14. Cambridge Joint Area Committee

Commented [A1]: Entire chapter moved to D16, without any changes

The Cambridge Joint Area Committee considers and determines local transport issues within Cambridge City that are not part of the Greater Cambridge Partnership's (GCP) remit, and advises on, but does not determine, schemes of strategic importance within the Cambridge City area that are not part of the GCP's remit. The constituent councils are Cambridgeshire County Council and Cambridge City Council.

These terms of references will be reviewed on an annual basis to consider whether amendments need to be made.

1. Functions

The functions of the committee are:

- (i) To consider and determine Local Highway Improvement (LHI) initiatives in the Cambridge City area, having regard to the budget available.
- (ii) To consider and advise on issues having regard to available resources, in relation to:
 - 1) traffic management
 - 2) parking regulation
 - 3) cycle and pedestrian schemes.
- (iii) To consider and advise the County Council and City Council on on-street and off-street parking charges and enforcement.
- (iv) To consider and advise on the approach to pavement parking regulation to ensure coherent, consistent, and compliant approaches.
- (v) To consider and advise on ways to ensure support for assisted travel (e.g., taxi cards, Dial-a-ride and Shopmobility) across the councils is complementary, coherent, and aligned with wider GCP strategies and with the Local Transport and Connectivity Plan.
- (vi) To consider and advise on ways to ensure alignment, coherence and efficiency in the way Table and Chair Licensing powers, Pavement Licensing powers and A Board Policy are applied.
- (vii) Regarding funds made available by either authority or other body, to advise on annual awards to pedestrian and cycle groups etc for projects supporting active travel.

2. Membership

The Joint Area Committee will be made up of twelve members, comprising of six County Council members from Cambridge divisions and six City Council members. Members are to be appointed in a manner deemed appropriate by each council in compliance with the law.

3. Quorum

The quorum of a meeting will be one half of the whole number of members, with at least three members from each constituent council.

4. Meetings

Meetings are held in Cambridge at least once a year, and no more frequently than once every two months, and only if there is relevant business to discuss.

All meetings will be open to the public.

Members of the public will be permitted to speak at meetings in accordance with the County Council's procedures for speaking at Council meetings.

All papers will be made available to the public, will be published on the Councils' websites, and will conform with both authorities' Access to Information Rules.

5. Chair and Vice-Chair

The Chair of the committee alternates between the two authorities on an annual basis and is elected by the members of the committee.

A Vice-Chair is also elected by the committee on an annual basis and is from the authority that does not hold the chair.

6. Voting

Every decision on an item on the meeting agenda shall be taken by a vote. If there are equal numbers of votes for and against, the Chair will have a second or casting vote.

7. Decisions

Decisions taken by the committee will be in accordance with the policies of both authorities, the GCP, the Local Transport and Connectivity Plan and available budgets. A decision taken by the committee under delegated powers may be subject to reconsideration by a constituent authority where the relevant Monitoring Officer considers it conflicts with agreed policies or budgets of that authority.

8. Administrative Arrangements

Administrative arrangements for the committee are shared between the two authorities.
The City Council will host all meetings, the County Council will minute all meetings.

Part 3C – Joint Committees

Commented [NM1]: Entire chapter moved to E1, subject to the following tracked changes

Introduction

Commented [NM2]: Heading removed due to new structure

Full Council is empowered to establish joint committees together with other local authorities, and to delegate functions to those joint committees. ~~This part contains a list of the joint committees which have been established by Full Council and sets out their composition, purpose and delegated functions.~~ In addition, where there are special procedural rules these are also listed.

Commented [NM3]: Removed due to duplication

A. Greater Cambridge Partnership Integrated Governance Framework

Commented [A1]: Entire chapter moved to E3, without any changes

The Greater Cambridge Partnership has five local partners, Cambridgeshire County Council, Cambridge City Council, South Cambridgeshire District Council, the Business Board of the Cambridgeshire and Peterborough Combined Authority and the University of Cambridge. Its governance framework consists of an Executive Board with five members, supported by a Joint Assembly with 15 members.

a) Greater Cambridge Partnership Executive Board

Summary of Functions

The Greater Cambridge Partnership Executive Board has delegated authority to exercise the following functions:

- Authority to set and review the objectives to be achieved by the strategic investments made pursuant to the Greater Cambridge City Deal agreement dated 19 June 2014.
- Authority to:
 - Approve single position statements in relation to strategic City Deal issues.
 - Approve projects, including the allocation of project funding, which fall within the ambit of the City Deal agreement.
 - Approve the major priorities under the auspices of the City Deal.
 - Approve plans and strategies necessary or incidental to the implementation of the City Deal agreement.
 - Consider recommendations from the Greater Cambridge Partnership Joint Assembly.

Terms of Reference and Standing Orders

The Executive Board's Terms of Reference and Standing Orders are set out in Appendix 1.

b) Greater Cambridge Partnership Joint Assembly

Summary of Functions

The Greater Cambridge Partnership Joint Assembly has delegated authority to exercise the following functions:

- Authority to advise the Greater Cambridge Partnership Executive Board in connection to the achievement of the objectives of the City Deal agreement.
- Authority to prepare and submit reports and/or recommendations to the Greater Cambridge Partnership Executive Board.

Terms of Reference and Standing Orders

The Joint Assembly's Terms of Reference and Standing Orders are set out in Appendix 2.

Appendix 1

Greater Cambridge Partnership Executive Board (Terms of Reference)

1. Parties

Cambridge City Council.
Cambridgeshire County Council.
South Cambridgeshire District Council.
The Business Board of the Cambridgeshire and Peterborough Combined Authority [the Local Enterprise Partnership (LEP) for the region – hereafter referred to as the 'Business Board'].
The University of Cambridge.

2. Status

The Greater Cambridge Partnership (GCP) Executive Board has been established by Cambridge City Council, Cambridgeshire County Council and South Cambridgeshire District Council. It is a joint committee of the three Councils, established by Cambridgeshire County Council under section 102(1) (b) of the Local Government Act 1972 and by Cambridge City Council and South Cambridgeshire District Council under section 9EB of the Local Government Act 2000.

3. Membership

Three elected members with full voting rights (one from each of the three member Councils).

Two non-voting members (one from the Business Board and one from the University of Cambridge).

4. Functions of the Executive Board

- 4.1 The Executive Board is established to ensure that the objectives of the Greater Cambridge City Deal are met. The Greater Cambridge City Deal aims to enable a new wave of innovation-led growth by investing in the infrastructure, housing and skills that will facilitate the continued growth of the 'Cambridge Phenomenon'. To this end, the Executive Board will have oversight of the strategic direction and delivery of the City Deal and its objectives.

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- 4.2 The Executive Board will also be responsible for the commissioning of projects funded by money provided through the City Deal and for overall control of that programme of investments. The scheme promoter for each individual project will be responsible for the delivery of that budget, under the oversight of the Executive Board. This shall also apply to circumstances in which funding is provided to the Executive Board by the member councils or by other parties, such as the Business Board.
- 4.3 The three councils agree to delegate exercise of their functions to the Executive Board to the extent necessary to enable the Executive Board to pursue and achieve the objectives of the Greater Cambridge City Deal and to undertake any actions necessary, incidental or ancillary to achieving those objectives, and, accordingly, the three councils shall make the necessary changes to their respective schemes of delegation. The Executive Board may further delegate to officers of the three Councils.
- 4.4 The Executive Board will consider any reports and recommendations from the Joint Assembly as appropriate.
5. Professional and Administrative Support
- 5.1 Cambridgeshire County Council shall act as the accountable body for the Executive Board in respect of financial matters and its financial procedure rules will apply in this context.
- 5.2 Committee management and administrative support to the Executive Board will be provided by one of the constituent councils [Cambridgeshire County Council from May 2019].
- 5.3 The lead role on projects shall be determined by the Executive Board, subject to the principle that the lead authority should be the Council primarily responsible for the service in question for their area. The procurement and other rules of the lead authority will apply in respect of projects.
6. Standing Orders
- 6.1 The Executive Board will be governed by the Standing Orders set out in Annex A attached to these Terms of Reference.
7. Costs
- 7.1 The three Councils will each bear its own costs in relation to the operation of the Executive Board, with the exception of approved project delivery costs met from budgets managed by the Executive Board.
- 7.2 Each council makes a legally binding commitment that, should it withdraw from or modify its role within the Executive Board, it agrees to pay all additional costs that fail to be met by the other partner councils that are reasonably attributable to that decision. This could include, for example, the costs that are locked into projects

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that have already been committed to, or the costs of dissolving integrated officer and Member arrangements and re-establishing independent arrangements.

- 7.3 The firm intention is that the Executive Board will continue until it is either replaced by a Combined Authority, subject to the carrying out of a governance review following necessary legislative changes, or until the programme is completed. Recognising the very serious implications of withdrawal from the Executive Board for the delivery of the City Deal programme, if a council decides to withdraw from or modify its role within the Executive Board, it commits to sharing this with the GCP at the earliest possible opportunity, and to entering into constructive discussions to avoid this happening or to reach a way forward.

Appendix 1 – Annex A

Greater Cambridge Partnership Executive Board (Standing Orders)

1. Membership

- 1.1 The Executive Board will have a voting membership of three, each council being entitled to appoint one voting member.
- 1.2 The Executive Board will also have two non-voting members, to be co-opted by the Committee on a nomination by each of the Business Board and the University of Cambridge.

2. Alternate or Substitute Members

- 2.1 Each council will be entitled to appoint one named alternate or substitute member who may act in all aspects as a voting member of the Executive Board in the absence of the voting member appointed.
- 2.2 Alternate or substitute members will be invited to attend all meetings of the Executive Board.
- 2.3 The Business Board and the University of Cambridge will each be entitled to nominate an alternate or substitute non-voting member to act in the absence of their principal co-opted member.

3. Term of Office

- 3.1 The term of office of voting and alternate or substitute voting members shall end:
 - if rescinded by the appointing Council; or
 - if the member ceases to be a member of the appointing Council.
- 3.2 The Business Board and University of Cambridge may at any time ask the Executive Board to replace their nominated co-opted member and alternate or substitute member by way of further nomination.

4. Appointment of Chairperson and Vice-Chairperson

- 4.1 The Executive Board will appoint a Chairperson and Vice-Chairperson at its first meeting and thereafter annually at the first meeting following the Annual Meetings of the three Councils. The Chairperson and, in his or her absence, the Vice-Chairperson shall have a casting vote.
- 4.2 The non-voting co-opted members of the Executive Board shall not act in the role of either the Chairperson or the Vice-Chairperson of the Executive Board.

5. Quorum

- 5.1 The quorum for meetings of the Executive Board will be three voting members.
- 5.2 If there is no quorum at the published start time for the meeting, a period of ten minutes will be allowed, or longer, at the Chairperson's discretion. If there remains no quorum at the expiry of this period, the meeting will be declared null and void.
- 5.3 If there is no quorum at any stage during a meeting, the Chairperson will adjourn the meeting for a period of ten minutes, or longer, at their discretion. If there remains no quorum at the expiry of this period, the meeting will be closed and the remaining items will be declared null and void.

6. Member Conduct

- 6.1 Executive Board members appointed by the three councils shall be bound by the Code of Conduct of their nominating authority. Board members nominated by the Business Board and the University of Cambridge will be bound by the Code of Conduct of the council providing democratic services support to the GCP.
- 6.2 If a member persistently disregards the ruling of the Chairperson, or person presiding over the meeting, by behaving improperly or offensively or deliberately obstructs business, the Chairperson, or person presiding over the meeting, may move that the member be not heard further. If seconded, a vote will be taken without discussion.
- 6.3 If the member continues to behave improperly after such a motion is carried, the Chairperson, or person presiding over the meeting, may move that either the member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, a vote will be taken without discussion.

7. Notice of and Summons to Meetings

- 7.1 Notice will be given to the public of the time and place of any meeting of the Executive Board in accordance with the Access to Information rules of the council providing democratic services support to the GCP.
- 7.2 At least five clear working days before a meeting, a copy of the agenda and associated papers will be sent to every member of the Executive Board. Other than in exceptional circumstances this will take place five working days before the deadline for submission of public questions. The agenda will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such details as are available.

8. Meeting Frequency

- 8.1 The Executive Board will meet on at least a quarterly basis, with one of those meetings acting as the annual meeting.

9. Voting

- 9.1 Executive Board members commit to seek, where possible, to operate on the basis of consensus.
- 9.2 Should it not be possible in a specific instance to find a consensus, the issue will be deferred to a later meeting of the Executive Board. Executive Board members can choose to simply re-submit the item to a following meeting, or to refer the item to the Joint Assembly for consideration and recommendation. Following this, a vote will be again taken and, if a consensus is still not achievable, the decision will be made on the basis of a simple majority.
- 9.3 The voting members of the Executive Board will act with due regard to the opinions of the non-voting members of the Board.

10. Reports from the Joint Assembly

- 10.1 The Executive Board will receive reports and recommendations from the Joint Assembly as appropriate and the Chairperson of the Joint Assembly, or a nominated representative on his or her behalf, will be entitled to attend meetings of the Executive Board to present them.

11. Questions by the Public and Public Speaking

- 11.1 At the discretion of the Chairperson, members of the public may ask questions at meetings of the Executive Board. This standard protocol is to be observed by public speakers:
 - (a) Notice of the question should be submitted to the GCP 'Public Questions' inbox by 10am at least three working days before the meeting;
 - (b) Questions should be limited to a maximum of 300 words;
 - (c) Questioners will not be permitted to raise the competence or performance of a member, officer or representative of any partner on the Executive Board, nor any matter involving exempt information (normally considered as 'confidential');
 - (d) Questioners cannot make any abusive or defamatory comments;
 - (e) If any clarification of what the questioner has said is required, the Chairperson will have the discretion to allow other Executive Board members to ask questions;
 - (f) The questioner will not be permitted to participate in any subsequent discussion and will not be entitled to vote;
 - (g) The Chairperson will decide when and what time will be set aside for questions depending on the amount of business on the agenda for the meeting;

- (h) Individual questioners will be permitted to speak for a maximum of three minutes;
- (i) In the event of questions considered by the Chairperson as duplicating one another, it may be necessary for a spokesperson to be nominated to put forward the question on behalf of other questioners. If a spokesperson cannot be nominated or agreed, the questioner of the first such question received will be entitled to put forward their question; and
- (j) Questions should relate to items that are on the agenda for discussion at the meeting in question. The Chairperson will have the discretion to allow questions to be asked on other issues.

12. Petitions

- 12.1 Petitions received in relation to the Greater Cambridge Partnership will be referred to the Joint Assembly for consideration. Any matters arising from petitions considered by the Joint Assembly can be reported to the Executive Board, as per Standing Order 10.

13. Participation at Executive Board Meetings by Other Members of Partner Councils or Other Representatives of Partner Bodies

- 13.1 At the discretion of the Chairperson, other elected members of the three partner Councils or other representatives from the Business Board or the University of Cambridge may be entitled to speak and participate at meetings of the Executive Board.

14. Minutes

- 14.1 The Chairperson will sign the minutes of the proceedings at the next suitable meeting. The Chairperson will move that the minutes of the previous meeting be signed as a correct record.
- 14.2 The minutes will be accompanied by a list of agreed action points, which may be discussed in considering the minutes of the previous meeting should they not be specifically listed as items on the agenda for the meeting.

15. Exclusion of the Public and Press

- 15.1 Members of the public and press may be excluded from meetings in accordance with the access to information rules of legislation as applied by the administering authority with regard to the consideration of exempt or confidential information.

16. Recording of Proceedings

- 16.1 The recording in any format of meetings of the Executive Board is permitted, except:

- Where the Chairperson, or person presiding over the meeting, rules that filming is being undertaken in such a way that is disruptive or distracting to the good order and conduct of the meeting;
- Where the public have been excluded from the meeting during the consideration of exempt or confidential information [see section 15].

17. Disturbance by Public

- 17.1 If a member of the public interrupts proceedings, the Chairperson, or person presiding over the meeting, will warn the person concerned. If the individual continues to interrupt, the Chairperson will order his or her removal from the meeting room.
- 17.2 If there is a general disturbance in any part of the meeting room open to the public, the Chairperson, or person presiding over the meeting, may call for that part of the room to be cleared.
- 17.3 If there is a general disturbance making orderly business impossible, the Chairperson, or person presiding over the meeting, may adjourn the meeting for as long as he or she thinks is necessary.

18. Interpretation of Standing Orders

- 18.1 The ruling of the Chairperson of the Executive Board as to the application of these Standing Orders shall be final.

19. Suspension of Standing Orders

- 19.1 Any of these Standing Orders may, as far as is lawful, be suspended by motion passed unanimously by those entitled to vote.

Appendix 2

Greater Cambridge Partnership Joint Assembly (Terms of Reference)

1. Parties

Cambridge City Council.
Cambridgeshire County Council.
South Cambridgeshire District Council.
The Business Board of the Cambridgeshire and Peterborough Combined Authority [the Local Enterprise Partnership (LEP) for the region – hereafter referred to as the 'Business Board'].
The University of Cambridge.

2. Status

The Greater Cambridge Partnership (GCP) Joint Assembly has been established by Cambridge City Council, Cambridgeshire County Council and South Cambridgeshire District Council. It is a joint advisory committee of the three Councils, established under section 102(4) of the Local Government Act, 1972.

3. Membership

- 3.1 Three elected members appointed by each of the three member councils.
Three co-opted members nominated by the Business Board.
Three co-opted members nominated by the University of Cambridge.

4. Functions of the Joint Assembly

- 4.1 The Joint Assembly is established to advise the GCP with regard to the latter's role in achieving the objectives of the Greater Cambridge City Deal Agreement dated 19th June 2014.
- 4.2 The Joint Assembly will act as a forum for discussion with a wider range of members and stakeholders across the Greater Cambridge area, so that the Executive Board benefits from a wider range of expertise in making its decisions.
- 4.3 To this end, the Joint Assembly may receive and comment on ("pre-scrutinise") reports to the Executive Board, may offer advice to the Board on the discharge of its functions and may review its work.
- 4.4 The Joint Assembly may develop its own work programme and submit reports or recommendations to the Executive Board for consideration, as appropriate.

5. Professional and Administrative Support

- 5.1 Committee management and administrative support to the Joint Assembly will be provided by one of the constituent councils [Cambridgeshire County Council from May 2019].
- 5.2 Other professional support will be provided to the Joint Assembly on an ad hoc basis as agreed between the three councils.

6. Standing Orders

The Joint Assembly will be governed by the Standing Orders set out in Annex A attached to these Terms of Reference.

7. Costs

The three councils, the Business Board and the University of Cambridge will each bear its own costs in relation to the operation of the Joint Assembly.

Appendix 2 – Annex A

Greater Cambridge Partnership Joint Assembly (Standing Orders)

1. Membership
 - 1.1 The Joint Assembly will have a membership of 15, with each council being entitled to appoint three members and the Business Board and the University of Cambridge both being entitled to nominate three co-opted members.
 - 1.2 The appointments made by the three councils will take account of the political composition of the Greater Cambridge area. Appointments by Cambridge City Council and South Cambridgeshire District Council will therefore be proportional to the political composition of the respective authority, whereas appointments by Cambridgeshire County Council will be proportional to those electoral divisions that fall within the Greater Cambridge area.
 - 1.3 Members nominated by the Business Board and the University of Cambridge will become co-opted members on endorsement by the Executive Board.
2. Alternate or Substitute Members
 - 2.1 No alternate or substitute members will be permitted on the Joint Assembly.
3. Term of Office
 - 3.1 The term of office of members from the three councils shall end:
 - if rescinded by the appointing council; or
 - if the member ceases to be a member of the appointing council.
 - 3.2 The Business Board and University of Cambridge may at any time ask the Joint Assembly to replace any of their nominated co-opted members by way of further nomination.
4. Appointment of Chairperson and Vice-Chairperson
 - 4.1 The Joint Assembly will appoint a Chairperson and Vice-Chairperson at its first meeting and thereafter annually at the first meeting following the Annual Meetings of the three Councils. The Chairperson and, in his or her absence, the Vice-Chairperson will have a casting vote.
 - 4.2 Where there are three or more candidates for appointment and there is, after balloting, no candidate with a clear majority, meaning in this case the votes of more than 50% of members present and voting, the candidate with the least number of votes will withdraw and there will be a fresh ballot of remaining candidates; and so on until a candidate has that majority.

5. Quorum

- 5.1 The quorum for meetings of the Joint Assembly will be five members.
- 5.2 If there is no quorum at the published start time for the meeting, a period of ten minutes will be allowed, or longer, at the Chairperson's discretion. In the absence of the Chairperson the Vice-Chairperson will have discretion to act. If there remains no quorum at the expiry of this period, the meeting will be declared null and void.
- 5.3 If there is no quorum at any stage during a meeting, the person presiding over the meeting will adjourn for a period of ten minutes, or longer, at their discretion. If there remains no quorum at the expiry of this period, the meeting will be closed and the remaining items will be declared null and void.

6. Member Conduct

- 6.1 Joint Assembly members appointed by the three councils shall be bound by the Code of Conduct of their nominating authority. Assembly co-opted members nominated by the Business Board and the University of Cambridge will have regard to the Code of Conduct of the council providing democratic services support to the GCP.
- 6.2 If a member persistently disregards the ruling of the Chairperson, or person presiding over the meeting, by behaving improperly or offensively or deliberately obstructs business, the Chairperson, or person presiding over the meeting, may move that the member be not heard further. If seconded, a vote will be taken without discussion.
- 6.3 If the member continues to behave improperly after such a motion is carried, the Chairperson, or person presiding over the meeting, may move that either the member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, a vote will be taken without discussion.

7. Notice of and Summons to Meetings

- 7.1 Notice will be given to the public of the time and place of any meeting of the Joint Assembly in accordance with the access to information rules of the Council providing democratic services support to the GCP.
- 7.2 At least five clear working days before a meeting, a copy of the agenda and associated papers will be sent to every member of the Joint Assembly. Other than in exceptional circumstances this will take place five working days before the deadline for submission of public questions. The agenda will give the date, time and place of each meeting; specify the business to be transacted, and will be accompanied by such details as are available.

8. Meeting Frequency

The Joint Assembly may set its own timetable for meetings but will initially meet quarterly, normally on a date preceding meetings of the Executive Board in order to

allow the Joint Assembly to consider issues the Board will be taking decisions on and advise accordingly.

9. Voting

9.1 All Joint Assembly members will be voting members.

9.2 Voting for meetings of the Joint Assembly will be conducted on the basis of a simple majority.

10. Reports from the Joint Assembly to the Executive Board

10.1 The Chairperson of the Joint Assembly, or a nominated representative on his or her behalf, will be entitled to attend meetings of the Executive Board to present reports from the Joint Assembly as appropriate.

11. Questions by the Public and Public speaking

11.1 At the discretion of the Chairperson, members of the public may ask questions at meetings of the Joint Assembly. This standard protocol is to be observed by public speakers:

- (a) Notice of the question should be submitted to the GCP 'Public Questions' inbox at the latest by 10am three working days before the meeting;
- (b) Questions should be limited to a maximum of 300 words;
- (c) Questioners will not be permitted to raise the competence or performance of a member, officer or representative of any partner on the Joint Assembly, nor any matter involving exempt information (normally considered as 'confidential');
- (d) Questioners cannot make any abusive or defamatory comments;
- (e) If any clarification of what the questioner has said is required, the Chairperson will have the discretion to allow other Joint Assembly members to ask questions;
- (f) The questioner will not be permitted to participate in any subsequent discussion and will not be entitled to vote;
- (g) The Chairperson will decide when and what time will be set aside for questions depending on the amount of business on the agenda for the meeting;
- (h) Individual questioners will be permitted to speak for a maximum of three minutes;
- (i) In the event of questions considered by the Chairperson as duplicating one another, it may be necessary for a spokesperson to be nominated to put

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forward the question on behalf of other questioners. If a spokesperson cannot be nominated or agreed, the questioner of the first such question received will be entitled to put forward their question; and

- (j) Questions should relate to items that are on the agenda for discussion at the meeting in question. The Chairperson will have discretion to allow questions to be asked on other issues.

12. Petitions

12.1 At the discretion of the Chairperson, members of the public may submit and present petitions to the Joint Assembly. This standard protocol is to be observed by petitioners:

- (a) Petitions should include a clear statement of the petition organiser's concerns and what they would like the Joint Assembly to do;
- (b) Petitions must relate to something which is within the responsibility of the Joint Assembly, or over which the Assembly has some influence;
- (c) Petitions must include the name and contact details of the petition organiser;
- (d) Petitions must include at least 500 signatures. Petitions below this threshold will not be presented to the Joint Assembly, but Assembly members will be notified of them as long as they contain at least 50 signatures;
- (e) Petitions must be submitted to the Democratic Services Team at the County Council (as the administering authority) either in paper format or using its e-petitions facility at least 5 clear working days before the date of the meeting;
- (f) Petition organisers will be permitted to present their petitions to the meeting and will be allowed to address the meeting for a maximum of three minutes;
- (g) Where more than one petition is received in time for a particular meeting and they are considered by the Chairperson as supporting the same outcome or being broadly similar in intent, it may be necessary for a spokesperson to be nominated and present the petitions. If a spokesperson cannot be nominated or agreed, the petition organiser of the first petition received will be entitled to present their petition; and
- (h) Petitions will be rejected if the Chairperson considers them to be abusive or libellous, frivolous, vague or ambiguous, rude, offensive, defamatory, scurrilous or time-wasting or require the disclosure of exempt information (normally considered as 'confidential').

12.2 Any matters arising from petitions considered by the Joint Assembly can be reported to the Executive Board as per Standing Order 10.

13. Participation at Joint Assembly Meetings by Other Members of Partner Councils or Other Representatives of Partner Bodies

- 13.1 At the discretion of the Chairperson, other elected members of the three partner councils or other representatives from the Business Board or the University of Cambridge may be entitled to speak and participate at meetings of the Joint Assembly.

14. Minutes

- 14.1 The Chairperson will sign the minutes of the proceedings at the next suitable meeting. The Chairperson will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.
- 14.2 The minutes will be accompanied by a list of agreed action points, which may be discussed in considering the minutes of the previous meeting should they not be specifically listed as items on the agenda for the meeting.

15. Exclusion of the Public and Press

- 15.1 Members of the public and press may be excluded from meetings in accordance with the Access to Information legislation as applied by the administering authority with regard to the consideration of exempt or confidential information.

16. Recording of Proceedings

- 16.1 The recording in any format of meetings of the Joint Assembly is permitted, except:
- Where the Chairperson, or person presiding over the meeting, rules that filming is being undertaken in such a way that is disruptive or distracting to the good order and conduct of the meeting; and/or
 - Where the public have been excluded from the meeting during the consideration of exempt or confidential information [see section 15].

17. Disturbance by the Public

- 17.1 If a member of the public interrupts proceedings, the Chairperson, or person presiding over the meeting, will warn the person concerned. If the individual continues to interrupt, the Chairperson will order his or her removal from the meeting room.
- 17.2 If there is a general disturbance in any part of the meeting room open to the public, the Chairperson, or person presiding over the meeting, may call for that part of the room to be cleared.
- 17.3 If there is a general disturbance making orderly business impossible, the Chairperson, or person presiding over the meeting, may adjourn the meeting for as long as he or she thinks is necessary.

18. Interpretation of Standing Orders

- 18.1 The ruling of the Chairperson of the Joint Assembly as to the application of these Standing Orders shall be final.

19. Suspension of Standing Orders

- 19.1 Any of these Standing Orders may, as far as is lawful, be suspended by motion passed unanimously by those entitled to vote.

B. Cambridgeshire Police and Crime Panel

Commented [A1]: Entire chapter moved to E4, without any changes

The Police Reform and Social Responsibility Act 2011 introduced significant changes in police governance and accountability, in particular replacing the Police Authorities with directly elected Police and Crime Commissioners (Commissioners).

The Act also requires the local authorities in each police force area to establish a police and crime panel (panel), as a joint committee, primarily to scrutinise the commissioner. The Act also prescribes many of the arrangements with regard to the panel and the way in which it conducts its business.

Peterborough City Council is the host authority for the Cambridgeshire Police and Crime Panel. The Panel's membership and procedures, as well as its terms of reference, can be viewed on the Peterborough City Council website.

Terms of Reference

- 1) To review and make a report or recommendation on the draft police and crime plan, or draft variation, given to the panel by the Police and Crime Commissioner.
- 2) To review, put questions to the Police and Crime Commissioner at a public meeting, and make a report or recommendation (as necessary) on the annual report.
- 3) To hold a confirmation hearing and review, make a report, and recommendation (as necessary) in respect of proposed senior appointments made by the Police and Crime Commissioner.
- 4) To review and make a report on the proposed appointment of the Chief Constable.
- 5) To review and make a report and recommendation (as necessary) on the proposed precept.
- 6) To review or scrutinise decisions made, or other action taken, by the Police and Crime Commissioner in connection with the discharge of the commissioner's functions.
- 7) To make reports or recommendations to the Police and Crime Commissioner with respect to the discharge of the commissioner's functions.
- 8) To support the effective exercise of the functions of the Police and Crime Commissioner.
- 9) To fulfil functions in relation to complaints about conduct matters, in accordance with the responsibilities accorded to the panel by the Police Reform and Social Responsibility Act 2011.
- 10) To appoint an Acting Police and Crime Commissioner if necessary.

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- 11) To suspend the Police and Crime Commissioner if it appears to the panel that the Commissioner has been charged in the United Kingdom or Isle of Man with an offence which carries a maximum term of imprisonment exceeding two years.

C. LGPS ACCESS Joint Committee

Commented [A1]: Entire chapter moved to E5, without any changes

1. Parties

- Cambridgeshire County Council
- East Sussex County Council
- Essex County Council
- Hampshire County Council
- Hertfordshire County Council
- Isle of Wight Council
- Kent County Council
- Norfolk County Council
- West Northamptonshire Council
- Suffolk County Council
- West Sussex County Council

2. Status

In order to ensure there is robust oversight of the joint pension fund investment pool, an Inter Authority Agreement has been entered into, with formal decision making responsibility exercised via a joint committee established under s.102 of the Local Government Act 1972.

3. Membership

One councillor from each of the eleven participating authorities. Each council's nominee must be an elected councillor and must be a serving member of the authority's Pensions Committee throughout the time of their appointment. They need not, however, be a member of the nominating council (i.e. they could be a member of another employing authority co-opted onto the pensions committee). Named substitutes shall be permitted.

4. Functions of the Joint Committee

Part 1 Functions in relation to the Operator

1. Specifying Operator services: Deciding, in consultation with the councils, the specification of services and functions that the Operator will be required to deliver including the sub-funds and classes of investments required to enable each council to execute its investment strategy.
2. Procuring the Operator: Agreeing the method and process for the procurement and selection of the Operator.
3. Appointing the Operator: Making a recommendation to the councils as to the identity of the Operator and the terms upon which the Operator is to be appointed.

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4. Reviewing the Performance of the Operator: Keeping the performance of the Operator under constant review and making arrangements to ensure that the Joint Committee is provided with regular and sufficient reports from the Officer Working Group to enable it to do so including but not limited to:
 - 4.1 the performance of the Operator against its contractual requirements and any other performance measures such as any Service Level Agreement (SLA) and key performance indicators (KPIs) and Officer Working Group recommendations on any remedial action;
 - 4.2 sub-fund investment performance;
 - 4.3 investment and operational costs including the annual review of investment manager costs;
 - 4.4 Performance against the strategic business plan agreed by the councils.
5. Managing the Operator: The Joint Committee shall:
 - 5.1.1 Make recommendations to the councils on the termination or extension of the Operator Contract and
 - 5.1.2 Make decisions about any other action to be taken to manage the Operator Contract including the giving of any instruction or the making of any recommendation to the Operator including but not restricted to recommendations on investment managers (within any regulatory constraints that may apply).
6. Appointment of Advisers
 - 6.1.1 The Joint Committee may appoint such professional advisers on such terms as it thinks fit. Any procurement of advisers must comply with the constitution of the Authority designated to undertake the procurement and that Authority will enter into a contract with the appointed adviser on behalf of the Authorities.
 - 6.1.2 The Joint Committee shall decide which tasks shall be performed by the Client Unit and which Council shall manage the Client Unit including the employment arrangements for employees in the Client Unit.

Part 2 Functions in relation to management of Pool Assets

7. The Joint Committee shall make recommendations to the councils on the strategic plan for transition of assets that are to become Pool Assets.

Part 3 Functions Concerning Pool Aligned Assets

8. Making recommendations to the councils about Pool Aligned Assets (including proposals concerning the migration of investments-such as passive investments via life fund policies-to become Pool Aligned Assets) in accordance with the IAA or any other delegation to the Joint Committee by the councils.

Part 4 Functions concerning Business Planning and Budget

9. Make recommendations to the councils about the annual strategic business plan for the Pool.
10. Determine the budget necessary to implement that plan and meet the expenses of undertaking the Specified Functions (insofar as they will not be met by individual transaction costs paid by councils to the Operator) in accordance with Schedule 5 of the IAA.
11. Keep the structures created by the IAA under review from time to time and make recommendations to the councils about:
 - 11.1 the future of the Pool;
 - 11.2 any changes to the IAA; and
 - 11.3 as to the respective merits of continuing to procure operator services by means of a third party or by creation of an operator owned by the Councils.
12. The Joint Committee is required to commence the first review of the IAA by the second anniversary of its first meeting.
13. The Joint Committee is required to undertake a review of the Pool and the IAA:
 - 13.1 to be completed 18 months before the expiry of each and every Operator Contract including as a result of the exercise of any option to terminate the Operator Contract;
 - 13.2 whenever a council gives notice of withdrawal under clause 12 of the IAA.

5. Standing Orders of the Joint Committee

Part 1 Membership

1. The Joint Committee shall consist of one elected councillor appointed by each council. The member so appointed must, at the time of the appointment, be an elected councillor serving as a member of the Committee of a council which discharges the functions of that council as pension administering authority.

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2. Each council may appoint a substitute. Any substitute must meet the eligibility requirements in paragraph 1. The substitute may attend any meeting of the Joint Committee or any of its sub-committees in place of that authority's principal member if notice that the substitute will attend is given to the Secretary of the Joint Committee by the council concerned.
3. Where a substitution notice is in effect with respect to a particular member at a particular meeting, the substitute shall be a full member of the Joint Committee for the duration of the meeting in place of the principal member.
4. Each council may remove its appointed member and appoint a different member by giving written notice to the secretary to the Joint Committee.
5. Each appointed member shall be entitled to remain on the Joint Committee for so long as the council appointing them so wishes, but shall cease to be a member if he or she ceases to meet the eligibility criteria in paragraph 11 or if that council removes the appointed member.
6. Any casual vacancies will be filled as soon as reasonably practicable by the Council from which such vacancy arises by giving written notice to the Secretary to the Joint Committee or his or her nominee.
7. The Joint Committee may co-opt any other person whom it thinks fit to be a non-voting member of the committee. The Joint Committee may from time to time make rules as to:
 - 7.1 Registration and declaration of interests by co-opted members.
 - 7.2 Standards of behaviour required to be observed by co-opted members when acting as such.
8. The Chair of the Joint Committee will be appointed from time to time by the members of the Joint Committee. Subject to paragraph 5, the Chair of the Joint Committee shall hold that office until their replacement is appointed which shall be at the first meeting to take place after the second anniversary of their appointment.
9. The Vice-Chair of the Joint Committee will be appointed from time to time by the members of the Joint Committee. Subject to paragraph 5, the Vice-Chair of the Joint Committee shall hold that office until their replacement is appointed which shall be at the first meeting to take place after the second anniversary of their appointment.
10. The Joint Committee may appoint sub-committees from among its membership as it thinks will help it to enable it to fulfil its remit. The Joint Committee may delegate its responsibilities to such sub-committees. Sub-Committees may co-opt non-voting members.
11. The Joint Committee may set up working groups to advise it on matters within its remit. Such working groups may be formed of members or officers of the constituent authorities or any other third party as the Joint

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Committee sees fit. Such working groups are advisory only and the Joint Committee may not delegate its responsibilities to such working groups.

12. Each member of the Joint Committee and any Sub-committee shall comply with any relevant code of conduct of their council when acting as a member of the Joint Committee.
13. The Chair may direct the Secretary to call a meeting and may require any item of business to be included in the summons.
14. Any five members of the Joint Committee may by notice in writing require the Chair to call a meeting to consider a particular item of business and if the Chair fails to do so within 20 working days of receipt of the notice then those five members may direct the secretary to call a meeting to consider that business.
15. The Committee may, if the law permits, arrange for attendance at meetings via video conferencing. Any such attendance shall be in accordance with the law and any other requirements imposed by the Joint Committee from time to time.

Part 2 Proceedings

16. Time and Place of Meetings

The Joint Committee will meet at least four times each year. All meetings of the Joint Committee will take place at a suitable venue and at a time to be agreed by the councils.

17. Notice of and Summons to Meetings

The secretary to the Joint Committee will give notice to the public of the time and place of any meeting in accordance with Part VA of the Local Government Act 1972. At least five clear days before a meeting, the secretary to the Joint Committee will send a summons by email and if a member so requests by post to every Member at their last known address. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

18. Chairing of Joint Committee

The Vice-Chair shall preside in the absence of the Chair. If there is a quorum of members present but neither the Chair nor the Vice-Chair is present at a meeting of the Joint Committee, the other members of the Joint Committee shall choose one of the members of the Joint Committee to preside at the meeting.

19. Quorum

- 19.1 The quorum of a meeting will be at least eight members who are entitled to attend and vote.
- 19.2 If there is no quorum present at the start of the meeting the meeting may not commence. If after one hour from the time specified for the start of the meeting no quorum is present then the meeting shall stand adjourned to another time and date determined by the secretary.

20. Voting

20.1 Majority

Each elected member shall have one vote. Co-opted members will not have a vote. Any matter will be decided by a simple majority of those members of the councils represented in the room at the time the question is put. In the event of equality of votes the person presiding at the meeting will be entitled to a casting vote under paragraphs 39(1) and 44 of Schedule 12 of the Local Government Act 1972.

20.2 Substitutes

The member appointed as a substitute shall have the same voting rights as the member for whom he or she is substituting. Where notice of substitution has been given for a particular meeting the principal member may not vote unless the notice of substitution is withdrawn before the start of the meeting.

20.3 Show of hands

The Chair will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

20.4 Recording of individual votes

The minutes of the meeting shall record how a member of the Committee voted on a particular question if, at the time that the vote is taken or immediately thereafter, that member asks the secretary or his or her representative at the meeting to record his vote.

21. Minutes

- 21.1 The secretary to the Joint Committee shall arrange for written minutes to be taken at each meeting of the Joint Committee and shall present them to the Joint Committee at its next meeting for approval as a correct record. At the next meeting of the Joint Committee, the Chair shall move that the minutes of the previous meeting be signed as a correct record. If this is agreed, the Chair of the Joint Committee shall sign the minutes. The only part of the minutes that can be discussed is their accuracy.

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- 21.2 Draft minutes or a summary of the decisions taken at the meeting and a note of the actions arising shall be circulated to the Committee and to each council by email no later than 7 days after the date of the meeting.
- 22. Any elected member of the councils who is not a member of the Joint Committee may speak at a meeting of the Joint Committee if the Chair of the Joint Committee invites him or her to do so but an elected member of the councils who is not a member of the Joint Committee shall not be entitled to vote at a meeting of the Joint Committee.
- 23. Meetings of the Joint Committee shall be open for members of the public to attend unless the Joint Committee determines that it is necessary to exclude members of the public in accordance with Part VA of the Local Government Act 1972 or the Joint Committee determines that it is necessary to close the meeting to the public because of a disturbance.
- 23.1 Copies of the agenda for meetings of the Joint Committee and any reports for its meetings shall be open to inspection by members of the public at the offices of the Councils with the exception of any report which the Secretary to the Joint Committee determines relates to items which in his or her opinion are likely to be considered at a time when the meeting is not to be open to the public.
- 24. Minutes of the meeting shall be published by the Host Authority to the extent required by Part VA of the Local Government Act 1972.
- 25. If a member of the public interrupts proceedings, the Chair will warn the person concerned. If they continue to interrupt, the Chair will arrange for their removal from the meeting room and will suspend the meeting until the member of the public has left or been removed.
- 26. If there is a general disturbance in any part of the meeting room open to the public, the Chair may call for that part to be cleared.
- 27. Overview and Scrutiny
 - 27.1 Each council has overview and scrutiny committees which have the right to scrutinise the operation of the Joint Committee and the Joint Committee and the Host Authority will co-operate with reasonable requests for information from any of the councils' overview and scrutiny committees.
 - 27.2 The decisions of the Joint Committee are not subject to call-in.
- 28. Regulation of Business
 - 28.1 Any ruling given by the Chair as to the interpretation of the standing orders with respect to the regulation of proceedings at meeting shall be final.
 - 28.2 Subject to the law, the provisions of the standing orders and the terms of any contract, the Joint Committee may decide how it discharges its business.

Part 3D – Scheme of Delegation to Officerse

Commented [A1]: Entire chapter moved to G2, subject to the following tracked changes

1. Introduction

- 1.1 This section describes the extent and nature of the authority delegated to officers to undertake functions on behalf of Cambridgeshire County Council. The delegations are made by either the Full Council or one of its committees.

2. General Principles

- 2.1 The Chief Executive and the chief officers, where they consider it necessary and expedient, may authorise officers within their respective service directorates to undertake functions on their behalf. If such authorisations are made, the relevant chief officer shall prepare and maintain a written schedule of authorisations to be available for inspection by the Monitoring Officer and published on the Council's website.
- 2.2 Where an officer listed in this Scheme of Delegation is absent for any period, the Chief Executive may nominate in writing another officer to act in their place during their absence and shall make a record of all such nominations.
- 2.3 The chair of the relevant committee may request an officer not to exercise their delegated power in any particular case and, if so, a report will be taken to the next available meeting of this committee for consideration.
- 2.4 Chief officers shall agree with the chair and vice-chair of the relevant committee the nature and level of information the committee requires regarding the exercise of officers' delegated powers.
- 2.5 Chief officers shall exercise their delegated powers in accordance with any requirements of the Chief Executive.

3. General Delegation

- 3.1 The Chief Executive and chief officers/directors are authorised to discharge all the functions of the authority within their areas of responsibility as defined below and subject to the General Conditions and Limitations set out below.

4. Conditions Relating to the Exercise of Delegated Authority

- 4.1 The exercise of functions delegated to officers under this scheme must comply with:
- (a) Any legal requirement or restriction;
 - (b) Any relevant provision in the Council's Constitution;
 - (c) The Council's policy framework and any other plans and strategies approved by the Council;

- (d) The relevant in-year budget;
- (e) The Officers' Code of Conduct;
- (f) The Council's Financial and Contract Procedure Rules;
- (g) The requirements of the Openness of Local Government Bodies Regulations 2014 and any supporting guidance; and
- (h) All other relevant policies, procedures, protocols and provisions.

5. Limitations to the Exercise of Delegated Powers

5.1 Officers in the exercise of functions delegated by this scheme may not:

- (a) Make key decisions as defined in the relevant Council's Constitution unless it is specifically delegated to the officer. An officer making a key decision specifically delegated to them shall first consult with the chair and vice-chair of the relevant committee before exercising such delegation.
- (b) Change or contravene policies or strategies approved by the Council or its committees or joint committees in the absence of specific delegated authority to do so.
- (c) Create or approve new policies or strategies, in the absence of specific delegated authority to do so.
- (d) Take decisions to withdraw public services, in the absence of specific delegated authority to do so.
- (e) Take decisions to significantly modify public services without consulting the appropriate committee chair and vice-chair before exercising the delegated power.

6. Consultation

- 6.1 Where an officer takes a decision under delegated authority on a matter which has significant policy, service or operational implications or is known to be politically sensitive, the officer shall first consult with the appropriate committee chair and vice-chair before exercising the delegated powers. In either Member's absence, consultation with either the chair or vice chair will be sufficient.
- 6.2 If the committee chair and vice-chair do not agree with the proposed officer decision, the decision will be taken to the next meeting of the committee for consideration.
- 6.3 When exercising delegated powers, officers shall ensure that local members are kept informed of matters affecting their divisions.

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- 6.4 If consultation involves a local member who does not agree with the proposed officer decision, the officer taking the decision will then consult the chair of the relevant committee to see if agreement can be reached. If agreement cannot be reached, the decision will be taken to the next meeting of the committee for consideration.

7. Specific Delegations

7.1 Chief Executive

	Delegated Authority	Delegation / Condition
(a)	To act as Head of Paid Service for the purposes of the Local Government and Housing Act 1989.	
(b)	To exercise in cases of urgency, those functions delegated to the executive directors, service directors, assistant directors or heads of service and in cases of emergency all powers of the Council.	
(c)	To act as controller in war and to exercise all the powers of local government in the event of circumstances arising in which the County Council, or the committee to which emergency powers have been delegated, is unable to act.	
(d)	To take all operational decisions necessary to secure the provision of services and/or the discharge of statutory functions, including the power to enter into contracts, in accordance with approved policies and financial regulations across the County Council.	
(e)	In accordance with the procedure for taking urgent decisions contained in Part 4.4(a)-Chapter D3 (Procedure Rules for Urgent Decisions and Decision Review) of the Constitution, to make any decision normally reserved to committee or another officer.	
(f)	To hold to account executive directors for the performance of their directorates.	
(g)	To place items of business on agendas for formal member meetings.	
(h)	To approve pay, terms and conditions of service and training of employees, except for approving the annual Senior Officer Pay Policy Statement which is reserved to the Full Council.	
(i)	To determine the number, grade, title and nature of staff employed within the County Council.	

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(j)	To take all operational decisions necessary to secure provision of services and discharge of statutory functions, including the power to enter into contracts in relation to the Chief Executive's support team, including support for Lord Lieutenant, Chair and Vice-Chair of Council.	In accordance with the approved policies and the Financial Procedure Rules
(k)	To ensure compliance with statutory requirements relating to complaints made to the Council about its public health functions and, where necessary, action is taken in light of the outcome of such complaints. (Part 4, Regulation 22(1)(a), The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012)	
(l)	To approve nominations to outside bodies, in consultation with Group Leaders, except where appointment to those bodies has been delegated to committees.	

7.2 All Executive Directors and Directors including the Executive Director of Finance and Resources/Section 151 Officer:

	Delegated Authority	Delegation / Condition
(a)	To make applications for planning permission in pursuance of Regulation 3 of the Town and Country Planning General Regulations 1992.	
(b)	To incur expenditure in emergencies under Section 138 of the Local Government Act 1972.	
(c)	To make all staff appointments below the level of executive director, except for any statutory roles, and to determine the remuneration and conditions of service of each post within any guidance or instructions issued by the Assistant Director, HR Services.	
(d)	To dispense with any provision of the Contract Regulations, but only in accordance with the detailed requirements for exemptions set out in the Procurement Rules and/or Scheme of Financial Management Chapter G7 (Contract Procedure Rules) and/or Chapter G6 (Scheme of Financial Management) up to a fixed sum (A7 below) or up to the EU threshold, and in consultation with the relevant committee chair and vice-chair.	

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(e)	To approve, with the agreement of the Section 151 Officer, new revenue or capital schemes by Trading Units at no net cost to the Council.	
(f)	To exercise corresponding powers and duties as already delegated to officers of the Council within the Scheme of Delegation where these or similar powers and duties are included in revised acts, orders or regulations.	
(g)	To take all operational decisions necessary to secure the provision of services and/or discharge of statutory functions, including the power to enter into contracts, in accordance with approved policies and financial regulations or the purpose of this Scheme of Delegation, this shall include the power to authorise the sealing of contract documents including plans and schedules in the absence of specific committee authority.	
(h)	To determine the number, grade, title and nature of staff within their directorate and all other terms and conditions.	Subject to budget and in consultation with the Assistant Director of HR.
(i)	To hold officers to account for the performance of their service areas.	
(j)	To approve nominations to outside bodies, in consultation with the chair of the relevant committee (or in their absence the vice-chair).	

The following table identifies the finance limits of delegated powers that Full Council has issued to all executive directors for specific finance-related decisions:

A1	Capital virement	£250,000
A2	Revenue virement (including operational savings)	£175,000
A3	Debt write-off	£5,000
A4	Loans to other persons or organisations	£5,000
A5	Property transaction – capital value	£500,000
A6	Property transaction – annual rental	£150,000
A7	Loans and expenditure from funds	£300,000

7.3 Executive Director of Finance and Resources / Section 151 Officer

	Delegated Authority	Delegation / Condition
(a)	To approve any changes to the Scheme of Financial Management as may be necessary from time to time to reflect and take account of changes in legislation, guidance, Council policy, decisions of the Council and any drafting changes or improvements. This shall not include any changes of substance.	In consultation with the Chair of the Strategy, Resources and Performance Committee. Not to be exercised if the Chair of the Strategy, Resources and Performance Committee objects to the proposed change.
(b)	To manage trust funds on behalf of CCC.	
(c)	The treasury management function including the management of debt and the borrowing and investment of money (excluding the Superannuation Fund).	
(d)	To approve the Council's banking facilities; arrangements for the signing and security of cheques, etc.	
(e)	Capital financing determinations under the Local Government and Housing Act 1989 where these may be made by an officer.	
(f)	To approve supplementary estimates of expenditure under Section 138 of the Local Government Act 1972 (emergencies or disasters affecting.	
(g)	To approve any detailed schemes of local financial management.	
(h)	To approve the implementation of local financial systems.	

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(i)	Responsibility for the proper administration of the Pensions Service to safeguard the financial position of the Pension Fund (LGPS).	Where possible, in consultation with the Chair of the Pension Fund Committee (or, in their absence, the Vice-Chair).
(j)	To write off bad or irrecoverable debts or deficiencies relating to stores or property up to a maximum amount set out in the Council's constitution or unlimited if the debtor is bankrupt/insolvent; unable to be traced; in prison and has no means to pay; or there is no, or uncertain liability.	
(k)	To make loans in furtherance of service objectives to other persons or organisations up to a maximum amount set out in the Council's constitution.	
(l)	To determine requests for the Council to act as co-guarantor for leases held by voluntary organisations and charities.	In consultation with the appropriate committee chair (or in their absence the vice-chair)
(m)	To authorise schools to plan for a deficit budget to finance exceptional purchases/ projects.	In consultation with the Executive Director of Children, Education and Families
(n)	To review and increase financial limits on an annual basis, taking account of inflation.	Subject to consultation with the appropriate committee chair (or in their absence the vice-chair)
(o)	To sign off grant claims.	

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(p)	<p>To take all operational decisions necessary to secure the provision of services and/or discharge of statutory functions, including the power to enter into contracts, in relation to</p> <p>(i) Commercial Services, including:</p> <ul style="list-style-type: none"> • Acquisitions and investment; • Contract management; • Fees; • Charges and trading policy; and • Asset strategy <p>(ii) Shared Services, including:</p> <ul style="list-style-type: none"> • Governance • Programme Delivery Team <p>(iii) Customer Services, including:</p> <ul style="list-style-type: none"> • The contact centre; and • Corporate reception sites <p>(iv) Information Technology and Digital Service, including:</p> <ul style="list-style-type: none"> • Council-wide strategy; and • Support for all business systems 	<p>In accordance with the approved policies and the Financial Procedure Rules</p>
(q)	<p>Manage the Council's responsibilities in its capacity as lead authority (in conjunction with North Northamptonshire Council) in providing the following services to other councils in accordance with the Shared Services Agreement dated 16 April 2016 made between Cambridgeshire County Council, North Northamptonshire Council, West Northamptonshire Council and Milton Keynes Council:</p> <p>(i) Insurance Services;</p> <p>(ii) Accounts Payable and Finance Helpdesk; and</p> <p>(iii) Debt and Income.</p>	
(r)	<p>Negotiate the Shared Services Plan required by the Shared Services Agreement and make recommendations to the councils party to that agreement as to the provision of financial and other resources.</p>	
(s)	<p>Authorise and manage delegations to other councils made in accordance with the Shared Services Agreement, including:</p> <p>(i) Internal Audit and Risk Management;</p> <p>(ii) Business Systems;</p> <p>(iii) Performance and Governance Services;</p> <p>(iv) HR transactions and payroll; and</p> <p>(v) Pensions.</p>	

7.4 Service Director: Legal and Governance (Statutory Monitoring Officer)

The exercise of the responsibilities set out below is delegated by the Council:

	Delegated Authority	Delegation / Condition
(a)	To make such amendments to the Constitution and related documents, as may from time to time become necessary to reflect and take account of changes in legislation, guidance, Council policy, decisions of the Council and any drafting changes or improvements. This shall not include any changes of substance.	In consultation with group leaders. Not to be exercised if any group leader objects to the proposed change.
(b)	To maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by members, staff and the public.	
(c)	To report to the Council any proposal, decision or omission which they believe would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.	In consultation with the Head of Paid Service and Section 151 Officer
(d)	To act as the solicitor to the Council to provide advice on the scope of powers and authority for the Council to take decisions, maladministration, probity and governance issues, to all councillors and to support and advise councillors and officers in their respective roles.	In consultation with the Section 151 Officer
(e)	To act as the proper officer for the purposes of the Local Government Act 2000 and regulations made there under, except where legislation or the Scheme of Delegation names another officer.	
(f)	In cases of dispute, to decide upon a member's "need to know".	
(g)	To contribute to the promotion and maintenance of high standards of conduct through provision of support to the Constitution and Ethics Committee. This will include making arrangements for the hearing of allegations against members concerning breaches of the Code of Conduct. To support the Constitution and Ethics Committee in ensuring the Council's Constitution is fit for purpose and in this role, shall keep it under review and make	

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	Delegated Authority	Delegation / Condition
	recommendations as to how it might be amended to better achieve the purposes set out in Article 1, The Constitution Chapter A1 (The Constitution) , or in response to changes in law.	
(h)	In the case of allegations that a councillor has breached the Members' Code of Conduct, to conduct an initial assessment of complaint and make a decision as to whether the complaint warrants investigation or any other action.	In partnership with the Council's independent person.
(i)	Where allegations of breaches of the Members' Code of Conduct are referred for investigation, to make arrangements for the conduct of such investigations and report the findings to the Constitution and Ethics Committee.	
(j)	To act as the proper officer for Access to Information and shall ensure that decisions of the Council and its committees, together with the reasons for those decisions, and relevant officer reports and background papers are made publicly available as soon as possible.	
(k)	To advise whether decisions of the Council and its committees are in accordance with the Budget and Policy Framework.	
(l)	To provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework issues to all councillors.	
(m)	To determine whether information should be exempt from disclosure under the provisions of Section 36 of the Freedom of Information Act 2000.	
(n)	To agree procedures for the conduct of all appeals heard by the Council's Service Appeals Sub-Committee.	
(o)	To agree procedures for the conduct of Council's Education Admission Appeals and Exclusion Reviews and the selection and appointment of members to Council's appeals panels.	
(p)	To make applications for the grant of Letters of Administration for the use and benefit of children in the care of CCC.	

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(q)	To determine whether an application for planning permission is required for Council Matters (Minerals and Waste); and to determine whether planning permission is required in respect of development to be carried out by the Council.	
(r)	To manage legal services, including externally commissioned legal advice.	
(s)	To obtain information or serve statutory notices to ascertain the legal interest of any person in land.	
(t)	To authorise the institution, defence, withdrawal, compromise or any other action relating to claims or legal proceedings at common law or under any enactment, statutory instrument, order or bylaw conferring functions upon the authorities or in respect of functions undertaken by the authorities.	
(u)	To authorise officers to prosecute or defend or appear in any legal proceedings (Section 223 of the Local Government Act 1972)	
(v)	To affix the common seal to all documents necessary to bring into effect decisions of the Council's or any committee, sub-committee or officer in pursuance of powers delegated by or on behalf of the Council.	
(w)	To declare vacancies in office and give public notice of a casual vacancy, in consultation with the Chair of the Council (or in their absence the Vice-Chair) and subject to noting at the next Full Council meeting.	
(x)	To authorise the giving of any indemnity by the Council.	

7.5 Executive Director of Adults, Health and Commissioning

The exercise of the responsibilities set out below is delegated by the Council:

	Delegated Authority	Delegation / Condition
(a)	To be the designated Director of Adult Services and to exercise the Social Services functions of the Council as set out in Schedule 1 of the Local Authority Social Services Act 1970.	

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(b)	To take all operational decisions necessary to secure the provision of services and/or discharge of statutory functions, including the power to enter into contracts, in relation to Adult Social Care, including: <ul style="list-style-type: none"> • Safeguarding • Mental Health • Disability • Older People • Residential services • Day services • IT systems • Partnership and Planning 	In accordance with the approved policies and the Financial Procedure Rules.
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7.6 Executive Director of Children, Education and Families

The exercise of the responsibilities set out below is delegated by the Council:

	Delegated Authority	Delegation / Condition
(a)	To be the designated Director of Children Services in accordance with Section 18(1) of the Children's Act 2004.	
(b)	To take all operational decisions necessary to secure the provision of services and/or discharge of statutory functions, including the power to enter into contracts, in relation to Children's Social Care, including: <ul style="list-style-type: none"> • Education • Special educational needs and disability • Safeguarding and protection • Children's social care • Youth services • Early Years • IT systems • Partnership and planning • Social and Educational Transport • Youth offending 	In accordance with the approved policies and the Financial Procedure Rules.
(c)	To approve school governor appointments for which the Council has responsibility and to report these decisions quarterly to the Children and Young People Committee.	
(d)	To discharge the guardianship provisions under the Mental Health Act 1983.	

7.7 Executive Director of Place and Sustainability

The exercise of the responsibilities set out below is delegated by the Council:

	Delegated Authority	Delegation / Condition
(a)	<p>To take all operational decisions necessary to secure the provision of services and/or discharge of statutory functions, including the power to enter into contracts, in relation to:</p> <p>(i) Highways and Transport, including:</p> <ul style="list-style-type: none"> • Major infrastructure delivery • Transport and infrastructure policy and funding • Highways • Assets and commissioning • Traffic and road safety <p>(ii) Planning, Growth and Environment, including:</p> <ul style="list-style-type: none"> • Waste disposal • Growth and economy • Historic environment • Heritage services • Strategic planning • Planning <p>(iii) Climate Change</p> <ul style="list-style-type: none"> • Climate change • Energy services <p>(iv) Digital Infrastructure</p> <p>(v) Regulatory Services, including:</p> <ul style="list-style-type: none"> • Registration Services • Coroners Services • Trading Standards 	In accordance with the approved policies and the Financial Procedure Rules.

7.8 Director of Public Health

The exercise of the responsibilities set out below is delegated by the Council:

	Delegated Authority	Delegation / Condition
(a)	<p>To prepare an annual report on the health of the people of Cambridgeshire.</p> <p>(Section 31, Health and Social Care Act 2012)</p>	
(b)	<p>To prepare an annual health protection report to the Health and Wellbeing Board to cover a summary of relevant activity and the multi-agency health protection plans in place, establish how the various health protection responsibilities are discharged, and identify their relationship to the Joint</p>	

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	Delegated Authority	Delegation / Condition
	Strategic Needs Assessment and Health and Wellbeing Strategy priorities.	
(c)	<p>To exercise the Council's powers and duties to improve the health of the people in the Council's area</p> <p>This includes:</p> <ul style="list-style-type: none"> (i) Providing information and advice; (ii) Providing services or facilities designed to promote healthy living (whether by helping individuals to address behaviour that is detrimental to health or in any other way); (iii) Providing services or facilities for the prevention, diagnosis or treatment of illness; (iv) Providing financial incentives to encourage individuals to adopt healthier lifestyles; (v) Providing assistance (including financial assistance) to help individuals to minimise any risks to health arising from their accommodation or environment; (vi) Providing or participating in the provision of training for persons working or seeking to work in the field of health improvement; and (vii) Making available the services of any person or any facilities. <p>(Section 30, Health and Social Care Act 2012 and Section 2B, NHS Act 2006)</p>	
(d)	<p>Responsibility for exercising the Council's powers and duties that relate to planning for, or responding to, emergencies involving a risk to public health.</p> <p>(Section 30, Health and Social Care Act 2012 and Section 73A, NHS Act 2006)</p>	
(e)	<p>Responsibility for exercising the Council's powers and duties that relate to arrangements for assessing etc risks posed by certain offenders.</p> <p>(Section 30, Health and Social Care Act 2012. Section 325, Criminal Justice Act 2003)</p>	
(f)	<p>To conduct, commission or assist the conduct of research for any purpose connected with the exercise of the Council's functions in relation to the health service and to obtain data, information or advice from persons with professional expertise pursuant to conducting such research.</p>	

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	Delegated Authority	Delegation / Condition
	(Section 17, Health and Social Care Act 2012. Section 5, NHS Act 2006.)	
(g)	To discharge those functions of the Council arising from the requirement that a licensing authority, when determining and publishing a licensing statement. (Section 5(3)(bb) (statement of licensing policy) of the Licensing Act 2003,)	
(h)	In relation to the Licensing Act 2003: <ul style="list-style-type: none"> (i) To make representations on behalf of the Council to a licensing authority in relation to the determination of an application for, or a variation or minor variation of, a premises licence. (ii) To make representations on behalf of the Council to a licensing authority in relation to the determination of an application for a provisional statement. (iii) To make an application or representations on behalf of the Council to a licensing authority for and/or in relation to the review of a premises licence. (iv) To make representations on behalf of the Council to a licensing authority in relation to the summary review of a premises licence. (v) To make representations on behalf of the Council to a licensing authority in relation to the determination of an application for, or a variation or minor variation of, a club premises certificate. (vi) To make an application or representations on behalf of the Council to a licensing authority for and/or in relation to the review of a club premises certificate. (vii) To make representations on behalf of the Council to a licensing authority in relation to the inspection of premises prior to the grant of a club premises certificate. (viii) To make representations on behalf of the Council to a licensing authority in relation to the review of a club premises licence following a closure order. (ix) To make representations on behalf of the Council to a licensing authority in relation to the determination of an application for an early morning alcohol restriction order. (Sections 18, 35 and 41B and Sections 31, 51, 52, 53, 53C, 72, 85, 86B, 87(d), 88, 89, 96, 167(e) and 172B(f) of the Licensing Act 2003)	

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	Delegated Authority	Delegation / Condition
(i)	<p>Responsibility for exercising the Council's powers and duties to provide, or secure the provision of, oral health promotion programmes to the extent that the Council considers appropriate.</p> <p>Responsibility for exercising the Council's powers and duties to provide, or secure the provision of oral health surveys to facilitate:</p> <ul style="list-style-type: none"> (i) The assessment and monitoring of oral health needs; (ii) The planning and evaluation of oral health promotion programmes; (iii) The planning and evaluation of the arrangements for the provision of dental services as part of the health services; and (iv) Where there are water fluoridation programmes affecting Cambridgeshire, the monitoring and reporting of the effect of water fluoridation programmes. <p>(The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012 and Section 87 (1) of the Water Industry Act 1991.)</p>	
(j)	<p>Responsibility for exercising the Council's powers and duties to respond to oral health surveys conducted or commissioned by the Secretary of State under paragraph 13(1) of Schedule 1 to the National Health Service Act 2006 where the survey is conducted within Cambridgeshire.</p> <p>(The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012)</p>	
(k)	<p>Responsibility for exercising the Council's powers and duties relating to the making of, and consultation on, water fluoridation proposals to the Secretary of State.</p> <p>(Section 36, Health and Social Care Act 2012 and Section 88B, Water Industry Act 1988)</p>	
(l)	<p>Responsibility for exercising the Council's powers and duties to provide for the medical inspection at appropriate intervals of pupils in attendance at schools maintained by the Council as local education authority and for the medical treatment of such pupils.</p>	

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	Delegated Authority	Delegation / Condition
(m)	<p>Responsibility for exercising the Council's powers and duties to provide for the medical inspection or treatment of:</p> <ul style="list-style-type: none"> (i) Senior pupils in attendance at any educational establishment, other than a school, which is maintained by the Council and at which full-time further education is provided; or (ii) Any child or young person who, in pursuance of section 19 or 319 of the Education Act 1996 (c. 56), is receiving primary or secondary education otherwise than at a school. 	(i) subject to the prior agreement of the governing body of the establishment
(n)	<p>Responsibility for exercising the Council's powers and duties to provide for the medical inspection or treatment of pupils in attendance at any educational establishment which is not maintained by a local education authority by arrangement with the proprietor of that establishment.</p> <p>(Section 17, Health and Social Care Act 2012 and Section 5, NHS Act 2006.)</p>	
(o)	<p>Responsibility for exercising the Council's powers and duties to provide for the weighing and measuring of pupils in attendance at any school which is maintained by the authority and, by arrangement with the proprietor, at any school which is not maintained by the Council.</p> <p>(Section 17, Health and Social Care Act 2012, Section 5, NHS Act 2006. Part 2, Regulation 3 of The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2012 (DRAFT).)</p>	
(p)	<p>Responsibility for exercising the Council's powers and duties to provide, or make arrangements for the provision of, health checks to eligible persons within the Council's area, pursuant to the requirements set out in the legislation below.</p> <p>(Section 2B, National Health Service Act 2006. Part 2, Regulations 4 and 5 of The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2012 (DRAFT).)</p>	
(q)	<p>Responsibility for exercising the Council's powers and duties to provide, or make arrangements for the provision of, open access sexual health services within the Council's area, including:</p> <ul style="list-style-type: none"> (i) Contraceptive services; and (ii) Services related to the prevention and treatment of sexually transmitted infections. 	

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	Delegated Authority	Delegation / Condition
	(Section 2B and Schedule 1 (para. 8), National Health Service Act 2006. Part 2, Regulation 6 of The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2012 (DRAFT).)	
(r)	<p>Responsibility for exercising the Council's powers and duties to provide, or make arrangements for the provision of, a public health advice service to any clinical commissioning group whose area falls wholly or partly within the Council's area.</p> <p>(Section 2A and 2B, National Health Service Act 2006. Part 2, Regulation 7 of The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2012 (DRAFT).)</p>	
(s)	<p>Responsibility for reviewing the range of matters to be covered by any such public health advice service, having had regard to the needs of the people in the Council's area and in agreement with the clinical commissioning group(s) to which the service is provided.</p> <p>(Section 2A and 2B, National Health Service Act 2006. Part 2, Regulation 7 of The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2012 (DRAFT).)</p>	
(t)	<p>Responsibility for exercising the Council's powers and duties relating to independent mental health advocate services.</p> <p>(Section 130, Mental Health Act 1983 and Section 43, Health and Social Care Act 2012.)</p>	
(u)	<p>Responsibility for exercising the Council's powers and duties relating to the provision of direct payments for healthcare.</p> <p>(Section 12A, NHS Act 2006 and Schedule 4, Part 1, Health and Social Care Act 2012.)</p>	
(v)	<p>Responsibility for exercising the Council's powers and duties relating to independent mental capacity advocates.</p> <p>(Section 35, Mental Capacity Act 2005 and Schedule 4, Part 1, Health and Social Care Act 2012.)</p>	

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	Delegated Authority	Delegation / Condition
(w)	<p>Statutory functions relating to protecting the health of the local population.</p> <p>Responsibility for exercising the Council's powers and duties to provide information and advice to responsible persons and relevant bodies within, or which exercise functions relating to, the Council's area, with a view to promoting the preparation of appropriate local health protection arrangements.</p> <p>(Section 2A and 2B, National Health Service Act 2006. Part 2, Regulation 8 of The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2012 (DRAFT).)</p>	
(x)	<p>Statutory functions relating to charges in respect of the Council's functions under Section 2B of the NHS Act 2006 -</p> <p>Responsibility for exercising the Council's powers and duties to make and recover charges in respect of:</p> <ul style="list-style-type: none"> (i) Providing information and advice; (ii) Providing services and facilities designed to promote healthy living; (iii) Providing or participating in the provision of training for persons working or seeking to work in the field of health improvement; and (iv) Making available the services of any person or facilities. <p>(Section 2B, National Health Service Act 2006 and Part 3, Regulation 9 of The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2012 (DRAFT))</p>	
(y)	<p>Responsibility for exercising the Council's powers and duties to enter into prescribed arrangements with the prison service insofar as those arrangements relate to securing and maintaining the health of prisoners.</p> <p>(Section 249, National Health Service Act 2006 and Section 29, Health and Social Care Act 2012.)</p>	

7.9 Executive Director of Strategy and Partnership

The exercise of the responsibilities set out below is delegated by the Council:

	Delegated Authority	Delegation / Condition
(a)	<p>To take all operational decisions necessary to secure the provision of services and/or discharge of statutory functions, including the power to enter into contracts, in relation to</p> <p>(i) Communications and information, including:</p> <ul style="list-style-type: none"> • Press and media • Council-wide campaigns • Council brand • Website <p>(ii) Community Services</p> <ul style="list-style-type: none"> • Libraries • Archives • Cultural Services • Community development and resilience • Adult and community skills and learning • Community engagement and participation <p>(iii) Business Planning, including:</p> <ul style="list-style-type: none"> • Policy, design and delivery services • Business intelligence • Emergency and business continuity planning <p>(iv) The Legal and Governance Service including:</p> <ul style="list-style-type: none"> • Internal Audit and Risk Management • Information Governance and Data Protection • Democratic and Member Services <p>(v) Community Safety, including:</p> <ul style="list-style-type: none"> • Domestic abuse and sexual violence • Prevent and hate crime • Homelessness prevention 	In accordance with the approved policies and Financial Procedure Rules
(b)	To provide elections management support to the county returning officer.	

Part 3E – Delegation and Exercise of Shareholder Rights in Pathfinder Legal Services Limited

Commented [A1]: Entire chapter moved to G10, without any changes

1. Introduction

Pathfinder Legal Services Limited is a company third owned by Cambridgeshire County Council (CCC), third owned by Central Bedfordshire Council (CBC), sixth owned by West Northamptonshire Council, and sixth owned by North Northamptonshire Council, which was established by Northamptonshire County Council and CCC to provide legal services to the owner councils and to other organisations within the public and not for profit sectors.

2. Shareholder Rights

This Council nominates as its shareholder representative the Council's Monitoring Officer, who shall exercise the delegated authority in consultation with the elected member for the time being nominated by the Strategy, Resources and Performance Committee.

The Council delegates to that officer all and any rights associated with the ownership of the shares and authorises that officer to exercise those rights subject to the following conditions and reservations:

- (a) The Monitoring Officer shall at all times exercise the delegated rights in accordance with the ten Solicitors Regulation Authority (SRA) Principles and Code of Conduct. If in doubt as to the requirements of the SRA Principles and Code of Conduct, the officer shall take appropriate independent legal advice before exercising the delegated authority.
- (b) The Monitoring Officer shall exercise the delegated authority under this provision in accordance with the Code of Conduct for officers and elected members of NCC/CCC and with all other relevant policies to the extent that those do not conflict with the SRA Code of Conduct and in circumstances where a conflict between the SRA Code of Conduct and any other code shall arise, the SRA Code of Conduct shall take precedence.

Part 3F – Delegations Resulting from Covid-19

Commented [A1]: Entire chapter removed

~~This section describes the extent and nature of the authority delegated to officers to undertake functions on behalf of Cambridgeshire County Council during the Covid-19 pandemic. It also includes delegation to and from other Local Authorities as set out in Section 10.04, Article 10 – Joint Arrangements, Part 2 – Articles of the Constitution.~~

~~Delegations from Cambridgeshire County Council to other local authorities~~

~~Relevant officers (a list of all relevant officers is held by the Monitoring Officer) of Peterborough City Council, Cambridge City Council, South Cambridgeshire District Council, Huntingdonshire District Council, East Cambridgeshire District Council and Fenland District Council are hereby authorised by Cambridgeshire County Council to act under and carry out the functions conferred on the Local Authority (Cambridgeshire County Council) by the Public Health (Control of Disease) Act 1984 (the "Act") as amended, and any subordinate legislation made under the Act, in particular, but not limited to the Health Protection (Coronavirus Restrictions) (England) Regulations 2020, as amended.~~

Council Procedure Rules

Commented [A1]: Entire chapter moved to C2, except Section 9.3 (moved to B1) and Section 9.4 (moved to B2), subject to the following tracked changes

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

1. Annual Meeting of the Council

1.1 Timing

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

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

1.2 Business

The annual meeting will carry out the tasks listed below.

- (a) Elect a person to preside if the Chair of Council is not present.
- (b) Elect the Chair of Council.
- (c) Elect the Vice-Chair of Council.
- (d) Approve the minutes of the last meeting.
- (e) Receive any announcements from the Chair and/or Head of Paid Service.
- (f) Approve a programme of ordinary meetings of the Council for the year.
- (g) Consider any business set out in the notice convening the meeting.

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

1.3 Selection of Councillors on Committees and Outside Bodies

At the annual meeting, the Council will:

- (a) Decide which committees and sub-committees to establish for the municipal year.
- (b) Decide the size and terms of reference for those committees and sub-committees.

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

2. Ordinary Meetings

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

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

- (j) Put questions to the Council's representatives on the Fire Authority and the Combined Authority Board and Overview and Scrutiny Committee.
- (k) Adjourn for ten minutes approximately every two hours, at an appropriate point.

3. Extraordinary Meetings

3.1 Calling Extraordinary Meetings

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

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

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

3.2 Business

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

4. Appointments to Committees

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

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

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

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

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

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

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

5. Time and Place of Meetings

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

6. Notice of and Summons to All Meetings

The proper officer will give notice to the public of the time and place of any meeting in accordance with [the Access to Information Procedure Rules Chapter B3 \(Access to Information Procedure Rules\)](#). At least five clear days before a meeting, the proper officer will send a summons signed by them to every member of the Council. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

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

7. Chair of Meeting

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

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

8. Quorum

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

9. Questions by Members

9.1 Oral Questions

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

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

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

9.2 Written Questions

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

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

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

A member may only ask a written question under Rule [9.210.4](#) if either:

- (a) They have given notice in writing of the question to the proper officer no later than 12.00 noon five working days before the date of the meeting, excluding extraordinary or special meetings of the Council and the first annual meeting of a new Council, where no written questions may be asked unless they are agreed as an urgent item by the Chair under paragraph (b) below; or
- (b) The question relates to urgent matters, they have the consent of the Chair to whom the question is to be put, and the content of the question is given to the proper officer at least one hour before the scheduled start of the meeting.

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

[Public Questions and Petitions](#)

[Public questions will be considered in accordance with Chapter B1 \(Participation in Meetings\).](#)

[Petitions will be considered in accordance with Chapter B2 \(Petition Scheme\).](#)

9.3 [Public Speaking at Full Council Meetings – Public Question Time](#)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9.4 Petition Scheme

Submitting Petitions

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

Electronic petitions will be accepted provided they are:

- (a) Submitted using the Council's free ePetitions facility; or
- (b) Submitted as one document, containing the list of names and contact information of those supporting the petition. These petitions should be sent to: DemocraticServices365@cambridgeshire.gov.uk.

Paper petitions can be sent to:

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

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

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

Ordinary Petitions

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

Format of Petitions

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

- (a) What actions the petitioners wish the Council to take.
- (b) The name and contact details of the petition organiser, who should be a local person*.

Commented [NM2]: Subheading removed due to new structure

- (c) The name (preferably in block capitals) and full address of each local person* who signs it. Where the petition is in paper form, this should include an actual signature. Where the petition is submitted in electronic form a list of the names and addresses will suffice.

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

How will the Council respond to petitions

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

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

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

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

Speaking at Council/Committee Meetings

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

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

** *County councillors will not usually be allowed to speak to petitions under this*

procedure as they have other opportunities to make their views known. This may, however, be allowed where the councillor has a prejudicial interest preventing them from speaking to a report, or where the petition organiser or other representative of the petitioners is unable to attend the meeting. In these circumstances the chair of the meeting concerned will be consulted and asked to exercise their discretion to allow a county councillor to present the petition.

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

Process at the Meeting

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

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

Petitions for Debate at Council

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

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

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

Exclusions

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

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

website, or ask the Democratic Services Team for information.

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

The Council will not consider:

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

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

Informal Review

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

General Data Protection Regulation

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

10. Motions on Notice

10.1 Notice

Except for motions which can be moved without notice under Rule ~~44~~ 13, written or electronic notice of motions for discussion at Council meetings, excluding extraordinary or special meetings and the annual budget meeting of the Council or the first annual meeting of a new Council, must be delivered to the proper officer not later than 12.00 noon 14 days before the date of the meeting. The proper officer will maintain a public record of all motions submitted. Any councillor may give notice of not more than one motion for consideration at any ordinary meeting.

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

10.2 Motion set out in Agenda

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

10.3 Scope

Motions:

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

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

11. Motions Without Notice

The following motions may be moved without notice:

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

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

12. Rules of Debate

12.1 No Speeches Until Motion Seconded

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

12.2 Right to Require Motion or Amendment in Writing

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

12.3 Seconders' Speech

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

12.4 Content and Length of Speeches

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

12.5 When a Member may Speak Again

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

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

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

12.6 Amendments to Motions

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

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

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

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

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

[*Note – Amendments will be classified as significant if they call for changes, which will require the Section 151 Officer to expend a considerable amount of time checking the budget figures. Minor amendments will be those that

relate to a single budget line. The final decision as to whether an amendment is significant rests with the Section 151 Officer].

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

12.7 Alteration of Motion

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

12.8 Withdrawal of Motion

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

12.9 Right of Reply

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

12.10 Motions which may be Moved During Debate

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

- (a) To withdraw a motion.
- (b) To amend a motion.
- (c) To proceed to the next business.
- (d) That the question be now put.
- (e) To adjourn a debate.
- (f) To adjourn a meeting.
- (g) To exclude the public and press in accordance with the Access to Information Rules.
- (h) To not hear further a member named under Rule [49.3-20.3](#) or to exclude them from the meeting under Rule [49.4-20.4](#).

12.11 Closure Motions

- (a) A member may move, without comment, the following motions at the end of a speech of another member:
 - (i) To proceed to the next business.
 - (ii) That the question be now put.
 - (iii) To adjourn a debate.
 - (iv) To adjourn a meeting.

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

12.12 Point of Order

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

12.13 Personal Explanation

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

12.14 Officers Addressing the Council

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

13. State of County Debate

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

14. Previous Decisions and Motions

14.1 Motion to Rescind a Previous Decision

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

14.2 Motion Similar to One Previously Rejected

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

15. Voting

15.1 Majority

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

15.2 Chair's Casting Vote

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

15.3 Method of Voting

Unless a recorded vote is demanded under Rule [15.5-17.6](#) or required under Rule [15.6-17.7](#) or the Chair determines that the vote will be by means of the electronic voting system under Rule [15.417.4](#), or by ballots under Rule [15.9 17.10](#), the Chair will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

15.4 Electronic Voting

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

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

15.5 Recorded Vote

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

15.6 Recorded Vote at Annual Budget Meeting

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

15.7 Right to Require Individual Vote to be Recorded

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

15.8 Voting by Political Groups

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

15.9 Voting on Appointments

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

16. Minutes

16.1 Signing the Minutes

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

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

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

17. Exclusion of Public

Members of the public and press may only be excluded either in accordance with [the Access to Information Rules in Part 4 Chapter B3 \(Access to Information Rules\)](#) of this Constitution or Rule [20 21](#) (Disturbance by Public).

18. Members' Conduct

18.1 Standing to Speak

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

18.2 Halting Debate

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

18.3 Member not to be Heard Further

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

18.4 Member to Leave the Meeting

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

18.5 General Disturbance

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

19. Disturbance by Public

19.1 Removal of Member of the Public

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

19.2 Clearance of Part of Meeting Room

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

20. Photography and Audio Recordings of Meetings

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

21. Electronic Communication

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

22. Suspension and Amendment of Council Procedure Rules

22.1 Suspension

All of these Council Rules of Procedure, except Rules [15.6](#), [15.7](#) and [16.2](#), [17.6](#), [17.7](#) and [18.2](#), may be suspended by motion on notice or without notice if at least one half of the whole number of members of the Council are present. Suspension can only be for the duration of the meeting.

22.2 Amendment

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

Annex 1

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

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

Annex 2

Discussion of Fire Issues at County Council Meetings

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

Access to Information Procedure Rules

Commented [A1]: Entire chapter moved to B3, subject to the following tracked changes

1. Scope

These rules apply to all meetings of the Council, to regulatory committees and to any other formal committees and sub-committees established by the Council (together called meetings).

2. Additional Rights to Information

These rules do not affect any more specific rights to information contained elsewhere in this constitution or the law; for example the Freedom of Information Act and the Data Protection Act.

Previously exempt information may subsequently be made available if the reason for exemption no longer applies.

3. Rights to Attend Meetings

Members of the public may attend all meetings subject only to the exceptions in these rules.

4. Notices of Meetings

The Council will give at least five clear days' notice of any meeting by publishing details on its website and making copies of such a notice available at its offices at New Shire Hall, Alconbury Weald.

5. Access to Agenda and Reports Before the Meeting

The Council will make copies of the agenda and reports open to the public available for inspection at the designated office at least five clear days before the meeting. If an item is added to the agenda later, the revised agenda (where reports are prepared after the summons has been sent out, the proper officer shall make each such report available to the public as soon as the report is completed and sent to councillors) will be open to inspection from the time the item was added to the agenda.

Where a report was not open to inspection by members of the public for five clear days before the meeting, it can only be considered at the meeting if the chair is of the opinion that it should be considered as a matter of urgency by reason of special circumstances, which shall be specified in the minutes.

6. Supply of Copies

The Council will supply copies of the following to any person on payment of a charge for postage and any other costs:

- (a) Any agenda and reports which are open to public inspection;
- (b) Any further statements or particulars necessary to indicate the nature of the items in the agenda; and
- (c) If the proper officer thinks fit, copies of any other documents supplied to councillors in connection with an item.

7. Access to Minutes etc. After the Meeting

The Council will make available copies of the following for six years after a meeting:

- (a) The minutes of the meeting or records of decisions taken, together with reasons, for all meetings of formal committees and decisions taken by officers as indicated in Rule 8 (Record of Decisions Taken by Officers) below, excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information.
- (b) A summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record.
- (c) The agenda for the meeting.
- (d) Reports relating to items when the meeting was open to the public.

8. Record of Decisions Taken by Officers

8.1 A written statement will be produced as soon as reasonably practicable after an officer has made a decision either:

- (a) Under an express authorisation from the Council, its committees, sub committees or any joint committee; or
- (b) Under a general authorisation where the effect of the decision is to:
 - (i) Grant a permission or licence;
 - (ii) Affect the rights of an individual;
 - (iii) Award contracts or incur expenditure over £250,000.

This will include:

- (i) A record of the decision including the date it was made;
- (ii) A record of the reasons for the decision;
- (iii) Details of any alternative options considered and rejected by the officer making the decision; and

- (iv) A record of the name of any member of the Council who has declared an interest (for decisions taken under Rule 8.1 (a) (an express delegation) only).

8.2 Any record prepared in accordance with Rule 8.1, together with any background papers considered by the officer and relevant to the decision shall be made available for public inspection.

8.3 Rules 8.1 ~~and 8.2 to 8.3~~ shall not apply to:

- (a) Routine administrative and operational decisions;
- (b) Decisions on operational matters such as day to day variations in services;
- (c) Decisions if the whole or part of the record contains confidential or exempt information; and
- (d) Decisions that are already required to be published by other legislation, provided the record published includes the date the decision was taken and the reasons for the decision.

9. Background Papers

9.1 List of Background Papers

The proper officer will set out in every report a list of those documents (called background papers) relating to the subject matter of the report which in their opinion:

- (a) Disclose any facts or matters on which the report or an important part of the report is based; and
- (b) Which have been relied on to a material extent in preparing the report;
- (c) but does not include published works or those which disclose exempt or confidential information (as defined in Rule 11).

9.2 Public Inspection of Background Papers

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

10. Summary of Public's Rights

A written summary of the public's rights to attend meetings and to inspect and copy documents must be kept at and available to the public at the New Shire Hall, Alconbury Weald.

11. Exclusion of Access by the Public to Meetings

11.1 Confidential Information – Requirement to Exclude Public

The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed.

11.2 Exempt Information – Discretion to Exclude Public

The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed. Information is only exempt if and so long as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

11.3 Meaning of Confidential Information

Confidential information means information given to the Council by a government department on terms which forbid its public disclosure or information which cannot be publicly disclosed by or under any enactment or by the order of a court.

11.4 Meaning of Exempt Information

Exempt information means information falling within the following seven categories but subject to the conditions set out in Paragraph 11.56 and interpretation set out in Paragraph 11.67, below:

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.

7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

11.5 Conditions Relating to Exempt Information

1. Information falling within Paragraph 11.45 (3) above is not exempt information by virtue of that paragraph if it is required to be registered under:
 - (a) The Companies Act 1985;
 - (b) The Friendly Societies Act 1974;
 - (c) The Friendly Societies Act 1992;
 - (d) The Industrial and Provident Societies Acts 1965 to 1978;
 - (e) The Building Societies Act 1986; or
 - (f) The Charities Act 1993
2. Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.
3. Information which:
 - (a) Falls within any of Paragraphs 11.4 (1-7) above; and
 - (b) Is not prevented from being exempt by virtue of Sub-paragraph 1 or 2 above.is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

11.6 Interpretation of Exempt Information

In Paragraphs ~~11.4 and 11.5~~ to 11.8:

"employee" means a person employed under a contract of service;

"financial or business affairs" includes contemplated, as well as past or current, activities;

"labour relations matter" means—

- (a) Any of the matters specified in paragraphs (a) to (g) of section 218(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 (matters which may be the subject of a trade dispute, within the meaning of that Act); or
- (b) Any dispute about a matter falling within Paragraph (a) above;

and for the purposes of this definition the enactments mentioned in paragraph (a) above, with the necessary modifications, shall apply in relation to office-holders under the authority as they apply in relation to employees of the authority;

"office-holder", in relation to the authority, means the holder of any paid office appointments to which are or may be made or confirmed by the authority or by any joint board on which the authority is represented or by any person who holds any such office or is an employee of the authority;

"registered" in relation to information required to be registered under the Building Societies Act 1986, means recorded in the public file of any building society (within the meaning of that act).

12. Exclusion of Access by the Public to Reports

If the proper officer thinks fit, the Council may exclude access by the public to reports which in their opinion relate to items during which, in accordance with Rule 11, the meeting is likely not to be open to the public. Such reports will be marked "not for publication" together with the category of information likely to be disclosed.

13. The Forward Plan

13.1 Every month the Council will publish a document which sets out, in respect of each key decision that will be taken on behalf of the Council:

- (a) That a key decision is to be made on behalf of the Council;
- (b) The matter in respect of which a decision is to be made;
- (c) Where the decision maker is an individual, their name and title, if any, and where the decision maker is a body, its name and details of membership;
- (d) The date on which, or the period within which, the decision is to be made;
- (e) Where the decision relates to confidential or exempt information, as defined above, a statement that the decision will be made in private;
- (f) A list of the documents submitted to the decision maker for consideration in relation to the matter;
- (g) The address from which, subject to any prohibition or restriction on their disclosure, copies of, or extracts from, any document listed is available;

- (h) That other documents relevant to those matters may be submitted to the decision taker; and
- (i) The procedure for requesting details of those documents (if any) as they become available.

13.2 This notice will be known as the 'Forward Plan' and it will be published at least 28 days before any key decision set out in the document is due to be made. The Forward Plan will be available for inspection by the public at New Shire Hall, Alconbury and will be published on the Council's website.

13.3 Each service committee will publish every month a document which sets out each item to be considered by the said committee including key decisions published in the Forward Plan.

14. General Exception

If 28 days' notice of a matter which is likely to be a key decision has not been provided (via the Forward Plan) because the decision must be taken by such a date that it would be impracticable to defer it, then subject to Rule 15 (special urgency) and to the requirements of [the Procedure for Taking Urgent Decisions at Part 4.4\(a\) Chapter D3 – \(Procedure Rules for Urgent Decisions and Decision Review\)](#), the decision may still be taken if:

- (a) The Monitoring Officer has been informed of the reasons for urgency, and is satisfied that the reasons satisfy the criteria for urgent decisions, and that the decision must be taken with less than 28 days' notice;
- (b) The Monitoring Officer has placed notification of the date and nature of the forthcoming decision and the reasons for urgency on the Council's website; and
- (c) At least five clear days have elapsed since the Monitoring Officer complied with conditions (a) and (b).

If the Monitoring Officer is not available to act, then the Chief Executive shall act in their place.

15. Special Urgency

If by virtue of the date by which a decision must be taken Rule 14 (General Exception) cannot be followed, then the decision can only be taken if the decision taker (if an individual) or the chair of the body making the decision, obtains the agreement of the Chair of the Council, or in their absence the Vice-Chair will suffice.

16. Councillors' Additional Rights

Attendance at Meetings

[Part 4.4, Procedure Rules for Committees and Sub-Committee Meetings, Chapter D2 \(Committee Procedure Rules\)](#) sets out the provisions that apply to councillors who wish to attend meetings of which they are not a member.

Access to Information

Councillors may request officers to provide them with any information they reasonably require to assist them in fulfilling their responsibilities as elected representatives. However, councillors may not be able to access information which in the opinion of the Monitoring Officer is in draft form, contains confidential or exempt information as defined in this section, or where disclosure would breach the provisions of the Data Protection Act.

Budget and Policy Framework Procedure Rules

Commented [A1]: Entire chapter moved to C3, subject to the following tracked changes

1. The Framework for Decisions

The Council will be responsible for the adoption of its budget and policy framework as set out in [Article 4 Chapter C1 \(Role of Full Council\)](#). Once a budget or a policy framework is in place, it will be the responsibility of the Strategy, Resources and Performance Committee to implement it.

2. Strategy, Resources and Performance Committee Leads Process

- (a) The Strategy, Resources and Performance Committee will publicise by including in the Forward Plan and on the Council's website a timetable for making proposals to the Council for the adoption of any plan, strategy or budget that forms part of the budget and Policy Framework, and its arrangements for consultation after publication of those initial proposals. The Strategy, Resources and Performance Committee will ensure that the consultation process is adequate and allows for meaningful dialogue with those involved.
- (b) At the end of that period, the Strategy, Resources and Performance Committee will then draw up firm proposals having regard to the responses to that consultation. The Strategy, Resources and Performance Committee will take any response into account in drawing up firm proposals for submission to the Council. Its report to Council will reflect the comments made by consultees and the Strategy, Resources and Performance Committee's response.
- (c) Once the Strategy, Resources and Performance Committee has approved the firm proposals, the proper officer will refer them at the earliest opportunity to the Council for decision.
- (d) In reaching a decision, the Council may adopt the Strategy, Resources and Performance Committee's proposals, amend them, refer them back to the committee for further consideration, or in principle, substitute its own proposals in their place.
- (e) If it accepts the recommendation of the Strategy, Resources and Performance Committee without amendment, the Council may make a decision which has immediate effect. Otherwise, it may only make an in-principle decision. In either case, the decision will be made on the basis of a simple majority of votes cast at the meeting.
- (f) The decision will be published within one working day in accordance with Article 4 and notified to the Chair of the Strategy, Resources and Performance Committee.

- (g) An in-principle decision will automatically become effective two working days from the date of the Council's decision.

3. Decisions Outside the Budget or Policy Framework

- (a) Subject to the virement provisions in the Financial and Contract Procedure Rules, committees of the Council and any officers, area committees or joint arrangements discharging Council functions may only take decisions which are in line with the budget and Policy Framework. If any of these bodies or persons wishes to make a decision which is contrary to the Policy Framework, or contrary to, or not wholly in accordance with, the budget approved by Full Council, then that decision may only be taken by the Council, subject to paragraph 4 below.
- (b) If the committee and any officers, area committees or joint arrangements discharging Council functions want to make such a decision, they shall take advice from the Monitoring Officer and/or the Section 151 Officer as to whether the decision they want to make would be contrary to the Policy Framework, or contrary to or not wholly in accordance with the budget. If the advice of either of those officers is that the decision would not be in line with the existing budget and/or Policy Framework, then the decision must be referred by that body or person to the Council for decision, unless the decision is a matter of urgency, in which case the provisions in paragraph 4 (Urgent Decisions Outside the Budget or Policy Framework) shall apply.

4. Urgent Decisions Outside the Budget or Policy Framework

- (a) The Committee of the Council, officers, area committees or joint arrangements discharging Council functions may take a decision which is contrary to the Council's Policy Framework or contrary to or not wholly in accordance with the budget approved by Full Council if the decision is a matter of urgency. However, the decision may only be taken:
 - (i) If it is not practical to convene a quorate meeting of the Full Council; and
 - (ii) If the Chair of the Strategy, Resources and Performance Committee agrees that the decision is a matter of urgency.

The reasons why it is not practical to convene a quorate meeting of Full Council to the decision being taken as a matter of urgency must be noted on the record of the decision. In the absence of the Chair of the Strategy, Resources and Performance Committee the consent of the Chair of the Council and, in the absence of both, the Vice-Chair, will be sufficient.

- (b) Following the decision, the decision taker will provide a full report to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

5. In-Year Changes to Policy Framework

The responsibility for agreeing the Budget and Policy Framework lies with the Council, and decisions by a committee of the Council, officers, area committees or joint arrangements discharging Council functions must be in line with it. No changes to any policy and strategy which make up the Policy Framework may be made by those bodies or individuals except those changes:

- (a) Which will result in the closure, discontinuance or restriction of a service or part of service to meet a budgetary constraint (and shall be reported to the next Council meeting).
- (b) Necessary to ensure compliance with the law, ministerial direction or government guidance (and shall be reported to the next Council meeting).
- (c) In relation to the Policy Framework in respect of a policy which would normally be agreed annually by the Council following consultation, but where the existing policy document is silent on the matter under consideration (and shall be reported to the next Council meeting).

6. Decision Review Procedure of Decisions Outside the Budget or Policy Framework

[The Part 4.7 – Decision Review Procedure Chapter D3 \(Procedure Rules for Urgent Decisions and Decision Review\)](#) sets out the provisions that apply to review of decisions taken by committees.

Procedure Rules for Committee and Sub-Committee Meetings

Commented [A1]: Entire chapter moved to D2, except Section 9 (moved to B1) and Section 10 (completely removed, except for the first sentence of Paragraph 10.1 (moved to B2)), subject to the following tracked changes

1. Introduction

1.1 These rules are designed to ensure meetings run smoothly and are conducted properly. The rules apply to all committees of the Council except for the following:

- (a) Pension Fund Committee and Investment Sub-Committee and Pension Fund Board (special Rules of Procedure and Standing Orders apply as shown in [Part 3B-09 Chapter D13 \(Pension Fund Committee\)](#) of the Constitution);
- (b) Cambridgeshire and Peterborough Health and Wellbeing Board (Standing Orders apply as shown in [Part 3B-12 Chapter E2 \(Cambridgeshire and Peterborough Health and Wellbeing Board\)](#) of the Constitution);

1.2 (c) Joint Committees.

So far as the law allows any of these rules may be suspended at any meeting, either for the whole meeting or for a particular item on the agenda. In order to achieve this, a motion must be moved and seconded and a vote carried.

2. Arrangements for Meetings

2.1 The agenda and papers for meetings must be available at least five clear working days before the meeting.

2.2 A special meeting is arranged if the chair of the relevant committee or any six of its members request such a meeting, or by the Monitoring Officer if they consider it necessary.

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

3. Chair of Meeting

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

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

4. Quorum

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

5. Order of Business

The order of business will usually be:

- (a) At the first meeting after the Annual Council meeting, appointing or noting the appointment of the chair and vice-chair of the committee;
- (b) The choice of a person to preside if the chair and vice-chair are absent;
- (c) Confirmation of the minutes of the last meeting of the committee;
- (d) Apologies for absence, including reasons;
- (e) Declarations of interest;
- (f) Business outstanding from the last meeting;
- (g) Reports for decision by committee;
- (h) Items requested by a councillor, which the relevant executive director or director, after consultation with the relevant spokes and the committee chair has agreed should be included on the agenda;
- (i) Reports for information if updating, at the specific request of the committee, progress of decisions previously agreed by a committee;
- (j) Training plan including figures for attendance at each training session;
- (k) Agenda plan (if applicable).

6. Other Points Regarding the Order of Business

- (a) At any time during the meeting the chair can adjourn the meeting;
- (b) The order of business can be varied at the discretion of the chair;
- (c) The minutes of ordinary meetings will not normally be confirmed at special meetings;
- (d) The meeting will adjourn for ten minutes approximately every two hours at an appropriate point.

7. Agenda Items Requested by Councillors

Any councillor who wishes an item relevant to the functions of a committee to be included on the agenda of that committee shall register a request with the spokes for that committee. The spokes will discuss the matter with the relevant executive director/director, who will consult with the committee chair, to determine whether the item should be included on the agenda of the next available or a subsequent meeting.

8. Declarations of Interest

8.1 Under the Localism Act 2011 and as part of [the Code of Member Conduct Chapter F2 \(Members' Code of Conduct\)](#), members are required by law to complete a declaration of disclosable pecuniary interests and non-statutory disclosable interests. If a member is at a meeting that is considering something in which they have a disclosable pecuniary interest and that interest has not been registered, they must declare the interest and inform the Monitoring Officer within 28 days of the meeting.

8.2 Where any councillor has a disclosable pecuniary interest in any matter, they will declare it and leave the room in which the meeting is being held while the matter is under consideration unless:

- (a) The Monitoring Officer has granted them a dispensation; or
- (b) The matter is only under consideration by the meeting as part of a report of the minutes of a committee or sub-committee and is not itself the subject of debate.

8.3 If the councillor has chosen to remain within easy reach, that councillor will be recalled by an appropriate officer before any further business is started.

8.4 Any person or officer of the authority who is appointed to do anything in connection with the County Council which enables them to speak at meetings, will make the same disclosures of interests and will withdraw from the room in which the meeting is being held on the same occasions as they would have to do if they were a county councillor. This does not apply to members of the public who are entitled to speak at Planning Committee.

9. Public Speaking [and Petitions](#) at County Council Committees

[Public questions will be considered in accordance with Chapter B1 \(Participation in Meetings\).](#)

[Petitions will be considered in accordance with Chapter B2 \(Petition Scheme\).](#)

9.1 Public Speaking at [County Council Committee](#) [or Sub-Committee](#) Meetings

The County Council recognises the value that can be added by enabling

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contributions by the public to meetings of council committees and in order to facilitate this, the chair or the person presiding at a meeting of a council committee may, at their absolute discretion, grant permission to a member of the public to speak during the meeting.

Speakers will usually only be permitted to speak once in any debate and speeches will usually be time limited to three minutes. Permission to speak may be refused if the anticipated contribution:

- (a) Is not relevant to the agenda items of the meeting;
- (b) Is substantially the same as a question which has been put at a meeting of the Council, a committee, or a sub-committee in the past six months;
- (c) Is illegal, improper, defamatory frivolous or offensive;
- (d) Requires the disclosure of confidential or exempt information;
- (e) Is from a provider the Council contracts with or chooses not to contract with unless unrelated to those specific contracts;
- (f) Relates to separate appeal, adjudication, litigation, mediation or dispute resolution;
- (g) Is about the conduct of individual councillors or employees; or
- (h) Is in multiple parts.

In order to assist meeting organisers members of the public* wishing to speak at a committee meeting** are asked to make a request in writing no later than 12.00 noon three working days before the meeting via letter to the Democratic Services Officer, Democratic and Members' Services, New Shire Hall, Alconbury Weald, PE28 4YE or via e-mail (this information is available at the bottom of the agenda front sheet) and provide the following details:

- (a) Name and contact details of the person making a comment or asking a question;
- (b) Details of the request to speak: The full text of the question to be asked or a list of the main points regarding a comment about a matter on the agenda.

(Requests to speak received after the three day deadline may be permitted, at the discretion of the relevant committee chair.)

9.2

Participating in a Committee Meeting

If registered to speak, members of the public should arrive at the venue (usually New Shire Hall) at least fifteen minutes before the start of the meeting and report to the Democratic Services Officer present. The register of speakers will be kept by Democratic Services and provided to the chair in advance of the meeting. No

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more than three speakers will normally be permitted per subject at a meeting (subject to the chair's discretion). Only one question or comment may be allowed per speaker.

When the meeting reaches the agenda item, the chair will ask the member of the public to speak. The member of the public is asked to behave appropriately for the nature of the meeting and show courtesy and respect to everyone present. They should not make any remarks which are offensive, defamatory, insulting or discriminatory. The time limit to pose a question or make a comment will be three minutes for each speaker. The Democratic Services Officer will time each speaker to ensure that they do not exceed three minutes. The member of the public must cease speaking when so instructed by the chair. The chair may allow questions from committee members to the speaker for clarification only.

The chair will deal with the question or statement, or request that an appropriate member or officer reply orally. If this is not possible, the member of the public will be provided with a written answer using the contact details provided within ten working days.

If there should be a large number of requests for public speaking regarding one or more items on the agenda, the chair may take steps to ensure that the meeting can be conducted in an appropriate fashion; for example, move the agenda item to the beginning of the meeting or limit the number of speakers. If the chair should decide to limit the number of speakers, the Democratic Services Officer will ensure that all steps are taken to inform the “unsuccessful” speakers in advance and a written reply will be sent within ten working days after the meeting.

This process does not apply to county councillors as their speaking rights as non-committee members are covered ~~under 'Attendance of other County Councillors' below in Chapter D2 (Committee Procedure Rules)~~. It also does not apply to employees of the Council except when acting as Trades Unions representatives or private individuals, as they have sufficient channels of communication, both internally and through their representative bodies.

* *For the purposes of this guide a “member of the public” is defined simply as anyone who lives or works in Cambridgeshire or is affected by a decision made in Cambridgeshire.*

** *This procedure does not apply to meetings of Full Council and Planning Committee as these meetings have their own procedures.*

10. Petitions ~~to Committees~~

The Petition Scheme is set out in full in Chapter B2 (Petition Scheme), and includes guidance on submitting petitions, on types of petition that the Council will and will not consider, and on what action the Council may take when it receives a petition.

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- 10.1 The Council will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition and it meets the criteria set out in the Petition Scheme. ~~The Petition Scheme is set out in full in the Council Procedure Rules (Constitution Part 4.1), and includes guidance on submitting petitions, on types of petition that the Council will and will not consider, and on what action the Council may take when it receives a petition.~~

~~The following paragraphs relate to petitions that have been referred to one of the Council's committees or sub-committees.~~

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10.2 Speaking at Council/Committee Meetings

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

- (a) The petition must relate to the powers and duties of that committee / body.
- (b) The petition must be signed by at least 50 'local people' ** who have an interest in the subject of the petition – the addresses of the signatories must be included for this purpose. Petitions with fewer than 50 signatures will still be considered but there is no right to speak.
- (c) The petition must be received by no later than 9.00 a.m. five working days before the meeting.
- (d) The petition must be accepted by the chair of the committee for presentation at the meeting. This is likely to be agreed unless there are exceptional circumstances.

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

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

10.3 Process at the Meeting

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

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

11. Consideration of Recommendations in Reports

Officers' recommendations are deemed to be moved and seconded to facilitate a less bureaucratic approach to handling amendments.

12. Motions not Requiring Prior Written Notice

The following motions can be moved and seconded orally to ensure meetings run smoothly and are conducted properly:

- (a) Appointment of a chair for the meeting in the absence of the chair and vice-chair;
- (b) Request to withdraw a motion;
- (c) That the matter be put to a vote;
- (d) That the meeting be adjourned;
- (e) Variation of the order of business;
- (f) Suspension of the Procedure Rules;
- (g) Exclusion of the public;
- (h) That a named councillor should not be heard further.

13. The Rules of Debate

13.1 Speaking

If a councillor wishes to speak they should indicate their intention by raising their hand.

The chair will decide the order in which speakers will be heard. Any councillor who wishes to speak will be given the opportunity to do so unless any of the

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exceptions contained in these rules of debate apply.

Councillors can speak for a maximum of five minutes, subject to any exceptions set out below, and the discretion of the chair.

Councillors when speaking must address the chair.

Councillors must speak strictly to the subject under discussion.

13.2 Request for Adjournment

Any councillor may at any time during a meeting request that the meeting be adjourned for up to one hour. The chair of the meeting has discretion to decide whether to agree the request and, if agreed, to determine the length of any such adjournment.

13.3 Amendment and Alteration

If the motion has been amended since the councillor last spoke, that councillor may move a further amendment to the motion.

A motion may be altered with the consent of the meeting. The meeting's consent will be signified without discussion.

14. Points of Order and Personal Explanations

With the consent of the chair, any councillor may make a brief comment, ask a question designed to clarify a matter which has been raised, or indicate where they feel the procedure rules have not been followed. They may not introduce new material or make a speech on this.

The chair's ruling on this will be final and they may limit such exchanges to maintain the flow of debate.

15. Amendments to Recommendations and Motions

(a) An amendment to a motion must be relevant to the motion and should not seek to introduce into the motion a new issue unrelated to the subject in the motion. It will either be:

- (i) To refer the matter to an appropriate body or individual for consideration or reconsideration;
- (ii) To leave out words;
- (iii) To leave out words and insert or add others; or
- (iv) To insert or add words.

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As long as the effect of (ii) to (iv) is not to negate the motion.

- (b) An amendment to a motion must be delivered to the Democratic Services Officer supporting the relevant committee in its draft form not later than noon two working days before the date of the meeting and its intended final form not later than noon one working day before the date of the meeting at which the motion is to be considered. If more than one amendment is received, amendments will be taken at the meeting in the order in which they were received by Democratic Services.

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

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

- (c) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- (d) If an amendment is not carried, other amendments to the original motion may be moved.
- (e) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- (f) After an amendment has been carried, the chair will advise the meeting of the content of the amended motion before accepting any further amendments, or if there are none, put it to the vote.

16. Bringing Debate to Early Closure

If the chair feels there has been sufficient discussion of the issue they may put the motion to the vote.

17. Previous Decisions and Motions

17.1 Motion to Rescind a Previous Decision

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

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17.2 Motion Similar to One Previously Rejected

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

18. Voting

18.1 Votes in committee are to be determined by a show of hands.

Where there is an equal number of votes for and against a motion the chair can exercise a second or casting vote.

18.2 Recorded Vote

A recorded vote will be taken if five or more councillors request it. The process will be as follows:

- (a) The names of all councillors will be called and the vote of each councillor recorded.
- (b) The chair will announce the result.
- (c) The minutes will record how each councillor voted.

Any committee member can require, during the item of business that the minutes of the meeting record how they voted on any decision taken.

19. Disorderly Conduct by Members

19.1 If, at any meeting, any councillor in the opinion of the chair of the meeting misbehaves by persistently disregarding their ruling, or by behaving improperly or offensively, or by obstructing the business of the meeting, the chair may move 'that [the councillor named] should not be further heard' and the motion, if seconded, will be voted on without discussion.

19.2 If any councillor named continues the misconduct after a 'should not be further heard' motion has been carried, the chair:

- (a) May request the councillor to leave the meeting; or
- (b) May adjourn the meeting for any period considered necessary.

In the event of a general disturbance which in the opinion of the chair makes business impossible, the chair may adjourn the meeting for any period considered necessary and/or order that the public leave.

20. Disturbance by Public

20.1 Removal of Member of the Public

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

20.2 Clearance of Part of Meeting Room

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

21. Photography and Audio Recordings of Meetings

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

22. Attendance of Other County Councillors

Any County councillor who wishes to attend a meeting of a committee or sub-committee of which they are not a member will be entitled to do so. With the consent of the meeting they will be entitled to speak but not vote:

- (a) On any matter affecting their electoral division or its inhabitants; or
- (b) On an item which they have requested be included on the agenda in accordance with Procedure Rule 7.

A county councillor who attends a meeting in this capacity will be entitled to remain in the meeting when a resolution excluding the public is in force.

If a county councillor is unable to attend a committee meeting to speak on a matter affecting their electoral division or its inhabitants, a written statement may be read out on their behalf by another member of the committee.

These provisions do not apply where a committee or sub-committee is exercising a function which is judicial in nature.

23. Substitution

23.1 Substitution Procedure

Substitute members may attend meetings in that capacity only:

- (a) To take the place of the ordinary member for whom they are the designated substitute.
- (b) After notifying the relevant Democratic Services Officer of the intended substitution before the start of the meeting.

In the event of the ordinary member of the committee being present at the start of the meeting, the ordinary member may advise that the substitution shall not take effect. The membership of the committee shall be as constituted at the start of the meeting and substitution will not be permitted during the course of the meeting.

Substitute members are eligible for allowances in accordance with the Council's scheme of allowances as if they were appointed members of that committee.

23.2 Powers and Duties

Substitute members, when substituting for an ordinary member of the committee, will have all the powers and duties of any ordinary member of the committee but will not be able to exercise any special powers or duties exercisable by the person they are substituting.

When substituting for the chair/vice-chair of a committee, the substituted member will have the power and duties of any ordinary member, but not the additional duty of chair/vice-chair.

24. Appointments to Committees

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

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

The Procedure for Taking Urgent Decisions

Commented [NM1]: Entire chapter moved to D3, subject to the following tracked changes

1. Introduction

- 1.1 The Council's constitution sets out who in the Council has authority to make decisions and the procedures for making those decisions.
- 1.2 Sometimes events will occur which require decisions to be taken urgently.
- 1.3 The Council needs to be able to respond quickly where failure to do so would not be in the public interest.
- 1.4 The procedure for taking urgent decisions, which includes the taking of urgent key decisions, should only be used where failure to take the decision quickly would, or would be likely to, harm the interests of the Council and the public, for example:
 - (a) A service not being provided;
 - (b) The Council breaking the law or financial rules;
 - (c) The public being put at serious risk of harm;
 - (d) The Council suffering financial loss;
 - (e) Consultation deadlines not being met; and/or
 - (f) In the event of a major incident.
- 1.5 The following are not suitable reasons for the use of the procedure:
 - (a) Poor planning;
 - (b) The possibility of embarrassment being caused to an officer or councillor;
 - (c) The possibility of adverse publicity being caused to the Council; and/or
 - (d) In order to circumvent the requirements of Financial Regulations without good cause and justification.

2. Option A – Urgent Decisions by Committee

- 2.1 Where the agenda for the relevant committee has been published, an urgent item may be added to the agenda if it meets the urgency criteria set out in paragraphs 1.3 and 1.4 of this chapter. The chair of the committee will require an explanation before authorisation is given.
- 2.2 Every effort must be made to circulate the urgent report to councillors at least 24 hours before the meeting.

2.3 The urgent report will be made available for public inspection as soon as possible.

3. Option B – Calling an Additional Meeting

3.1 The issue may be of such significance that it may be more appropriate to call an additional meeting. The procedure for calling additional meetings is set out in [the Council Procedure Rules and the Procedure Rules for Committee and Sub-Committee Meetings Chapter C2 \(Council Procedure Rules\) and Chapter D2 \(Committee Procedure Rules\)](#).

4. Option C – Decision by the Chief Executive

4.1 The Chief Executive may take a decision which is normally reserved to committee or another officer, where they believe that the decision is urgent, after first:

- (a) Taking into account the guidelines set out in paragraphs 1.3 and 1.4 of this chapter; and
- (b) Where possible, seeking the views of the following in respect of the proposed decision:
 - (i) The Chair of the Strategy, Resources and Performance Committee,
 - (ii) The chair and the vice-chair of the relevant committee with authority to take the decision, and
 - (iii) The leaders of all groups
 - (iv) The Monitoring Officer.

4.2 The Chief Executive will take into account any views they consider are relevant. The decision is the Chief Executive's alone.

4.3 The decision together with the reasons why it is urgent must be recorded in writing. The record of urgent decisions will be held by Democratic Services and will be made available for inspection.

4.4 Following the decision, a report will be submitted to the next available relevant committee meeting explaining:

- (i) The decision;
- (ii) The reasons for it; and
- (iii) Why the decision was treated as a matter of urgency.

4.5 In the absence of the Chief Executive, their responsibilities under this procedure will be delegated to a director and all references to the Chief Executive under this procedure will also apply to that person.

Financial and Contract Procedure Rules

Commented [NM1]: Entire chapter moved to G5, subject to the following tracked changes

1. Scheme of Financial Management

- 1.1 The Section 151 Officer shall prepare, maintain and review the Council's Scheme of Financial Management.
- 1.2 The Scheme of Financial Management shall:
- (a) include financial regulations that detail fully the responsibilities of officers in ensuring the proper administration of the Council's financial affairs;
 - (b) include contract procedure rules that detail fully the responsibilities of officers in ensuring that contract procedures comply with legal requirements, achieve value for money, promote public accountability and deter corruption;
 - (c) be consistent with [the Scheme of Delegation to Officers Chapter G2 \(Scheme of Delegation to Officers\)](#) – and the associated financial limits – [set out in Part 3D of this Constitution and the Chapter C3 \(Budget and Policy Framework Procedure Rules\)](#) and these Financial and Contract Procedure Rules.
- 1.3 The financial regulations are shown in [Annex 1 Chapter G6 \(Scheme of Financial Management\)](#); the contract procedure rules are shown in [Annex 2 Chapter G7 \(Contract Procedure Rules\)](#).

2. Virement

- 2.1 The budget framework will be expressed in five blocks:
- Adults, Health and Commissioning
 - Children, Education and Families
 - Place and Sustainability
 - Strategy and Partnerships
 - Finance and Resources.
- 2.2 The Strategy, Resources and Performance Committee may authorise:
- (a) unlimited budget virement within each block provided there is no change in the approved budget framework of the Council;
 - (b) budget virement between blocks up to a total in any one year of 1% of an individual block provided there is no change in the overall approved budget framework of the Council.
- 2.3 The Council must determine virement within or between blocks associated with a change in the overall approved budget framework.
- 2.4 Exceptions for which virement approval regulations do not need to be adhered to are:

- When the purpose for which the funding will be used has not changed
- Following a pre-approved decision incorporated into the Business Plan as the result of a decision by the appropriate committee or by Full Council.

- 2.5 Where the Section 151 Officer considers that any proposed virement causes a variation to existing policy, they may require the executive or service director to present a report to the Strategy, Resources and Performance Committee setting out the reasons for the virement.
- 2.6 An executive or service director may incur expenditure which is essential to meet any immediate needs created by a sudden emergency, subject to this action being reported immediately to the Chief Executive and the Section 151 Officer, and to the next Strategy, Resources and Performance Committee.
- 2.7 When a sudden emergency arises, executive or service directors must keep a separate record of the essential expenditure incurred in connection with the emergency until advised by the Section 151 Officer that separate records are no longer required.

3. Financial Control

- 3.1 Subject to the above virement rules, the Strategy, Resources and Performance Committee is accountable to the Council for ensuring there is no overspend on the five budget blocks.
- 3.2 The Strategy, Resources and Performance Committee shall publish regular reports showing significant virements actioned and projected year-end spending compared to the approved budget.
- 3.3 At the end of the financial year, any service outturn under or overspends will be balanced to the General Fund reserve.
- 3.4 Where a committee wishes to take a course of action which has financial implications contrary to the advice provided by the Section 151 Officer, the Section 151 Officer may submit a report to this effect to the Strategy, Resources and Performance Committee.

4. Fees and Charges

- 4.1 All scales and levels of charges shall be reviewed annually.

5. Trading Units

- 5.1 Trading Units shall be defined annually within the budget framework.
- 5.2 Trading Unit surpluses will be applied:

- (a) Up to 50% may be retained by the Trading Unit for future investment in the business or for contingency purposes;
- (b) The balance shall be credited to the relevant budget block.

5.3 Trading Unit deficits shall be met from their own contingency funds or surplus generated in the following year. If losses cannot be so recovered the deficit shall be debited to the relevant budget block.

6. Tendering Requirements

6.1 These requirements cover any arrangement under which the Council pays or receives money or equivalent value except a contract:

- of employment making an individual a direct employee of the Council; or
- to convey or acquire an interest in land (land transactions).

6.2 The Contract Procedure Rules [\[see Annex 2\] in the Scheme of Financial Management \(Chapter G7 of the constitution\)](#) identify requirements for tendering and purchasing on behalf of the Council.

7. Exemptions

7.1 Exemptions to the tendering requirements in these Financial and Contract Procedure Rules and/or to the requirements of the Contract Procedure Rules in the Scheme of Financial Management may be authorised:

- (a) By officers only in accordance with [the Chapter G2 \(Scheme of Delegation to Officers\)](#) ~~set out in Part 3 of this Constitution~~ and the detailed requirements of contract regulations in the Scheme of Financial Management; or
- (b) In exceptional circumstances, by the Assets and Procurement Committee – any such decision may be a “key decision” in accordance with [Article 12 Chapter A2 \(How the Council Operates\)](#) of this Constitution.

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Scheme of Financial Management

Commented [NM1]: Entire chapter moved to G6, subject to the following tracked changes

Financial Regulations

Commented [NM2]: Removed due to new structure

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Financial Regulations

1.0 General Context

- 1.1 These regulations are required by law and by ~~the Council's Constitution (Part 4.5 – Financial and Contract Rules, which is contained within Part 4 – Rules of Procedure) Chapter G5 (Financial and Contract Procedure Rules) of the Council's Constitution~~. They detail the responsibility of officers in ensuring the proper administration of the Council's financial affairs.
- 1.2 The Section 151 Officer is designated under the Section 151 of the Local Government Act 1972 to be responsible for the proper administration of the Council's financial affairs. They are also responsible under Section 114 of the Local Government Finance Act 1988 to report formally any instance of unlawful expenditure (potential or actual) to the authority's members and external auditors.
- 1.3 The regulations should be read in conjunction with ~~the Scheme of Delegation to Officers (Part 3D, which is contained within Part 3 – Responsibility for Functions) Chapter G2 (Scheme of Delegation to Officers)~~, including, in particular, the finance limits of delegated powers to executive directors (Adults, Health and Commissioning; Children, Education and Families; Place and Sustainability; Strategy and Partnerships; and Finance and Resources), hereafter referred to as executive directors.

2.0 Financial Control – General

- 2.1 Each executive director must immediately inform the Section 151 Officer of any matters arising, decision or course of action or proposed decision, proposed course of action or entry of an item of account relating to their service directorate, which may give rise to a report under Section 114 of the 1988 Act (see Regulation 1.2 above).
- 2.2 The Statement of Financial Responsibilities (Appendix A) details the responsibilities and reporting, to conform with Sections 114 and 151, to be discharged by the following officers:
- (a) Chief Executive
 - (b) Section 151 Officer
 - (c) Executive directors (Adults, Health and Commissioning; Children, Education and Families; Place and Sustainability; Strategy and Partnerships; and Finance and Resources)
 - (d) Service Director of Finance and Procurement, Head of Finance and Strategic Finance Managers

(e) Service directors

(f) Head of Internal Audit

This appendix also includes the delegated authority to the Strategy, Resources and Performance Committee.

2.3 Each executive director shall ensure that all the documents that comprise the overall Scheme of Financial Management are observed throughout their service. Where a service wishes to operate more detailed schemes of local financial management, these must be consistent with Financial Regulations and be approved by the Section 151 Officer. Any such schemes are subsidiary to the overall Scheme of Financial Management, which takes precedence. Schemes of local financial management currently approved under this section are:

- Education - Scheme of Financial Management for Schools

2.4 No service shall:

- (a) Cause or allow its expenditure, whether of a revenue or capital nature, to exceed its financial allocation, including any subsequent variations made available to it;
- (b) Divert financial provision from one heading to another heading in the revenue estimates, or from one project to another in the capital estimates, except in accordance with the rules for virement as specified in the Finance Management Arrangements for Services (section 30.0).

2.5 Each executive director is responsible for the control of workers and the security, custody and control of all other resources including plant, buildings (except where they are the responsibility of the Section 151 Officer), materials, cash and stores appertaining to their service.

2.6 Financial and management responsibilities must be aligned, so that managers are responsible for the financial consequences of their decisions. A single budget manager must be assigned to each budget i.e. cost centre. The discharge of budget management responsibilities will be appraised through the Council's scheme of performance management.

3.0 Financial Systems / Records

3.1 The Section 151 Officer is responsible for the operation of the County Council's accounting system, the form of accounts and the supporting financial records.

3.2 The ERP Gold system shall be the prime system upon which final assessments of financial performance shall be made, and statutory accounts, grant claims and budgets must be reported from data held on ERP Gold. Services must seek authorisation from the Section 151 Officer before implementing local financial systems and will use the Council's ERP Gold system as the overall accounting

record. The sole approved exception relates to schools, who are authorised to operate local bank accounts in accordance with the Council's Scheme of Financial Management for Schools.

- 3.3 Services must reconcile any local accounting records to the Council's central financial information system throughout the course of the financial year.
- 3.4 All documents, invoices, etc., pertaining to transactions on central and local accounting systems must be retained in accordance with the requirements set out in Appendix B (Retention of Financial Records).

4.0 Banking / Cash Management / Trust Funds

- 4.1 The Section 151 Officer has delegated responsibilities for the treasury management function (management of debt and the borrowing and investment of money) and arranging and operating the Council's banking facilities. This means that no other officers are empowered to open any kind of bank account, to invest or borrow any money, or to enter into any credit arrangement. The exception on bank accounts is where schools are given permission to open accounts in accordance with the Council's Scheme of Financial Management for Schools.
- 4.2 All of the Council's bank accounts should be maintained in accordance with the Scheme of Operation approved by the Section 151 Officer.
- 4.3 The County Council adopts the key recommendations of CIPFA's *Treasury Management in the Public Services: Code of Practice*, as described in Section 4 of that code.

Accordingly, the Council will create and maintain:

- (a) A treasury management policy statement, stating the policies and objectives of its treasury management activities.
- (b) Suitable treasury management practices, setting out the manner in which the Council will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities.

The Council will receive reports on its treasury management policies, practices and activities, including, as a minimum, an annual strategy and plan in advance of the year, and an annual report after its close, in the form prescribed in its treasury management practices.

The County Council delegates responsibility for the implementation and monitoring of administration of treasury management decisions to the Section 151 Officer, who will act in accordance with the organisation's policy statement and treasury management practices, and CIPFA's *Standard of Professional Practice on Treasury Management*.

- 4.4 The Section 151 Officer has delegated responsibility for the management of trust funds. This covers all types of funds held on behalf of personal clients or charities, whether acting in the capacity of an appointee, a trustee, or a nominated receiver. A record of all such arrangements must be held by relevant finance units and all related tax affairs must be dealt with expeditiously on the client's behalf.

5.0 Appraisal of New Capital Schemes / Projects

- 5.1 Any new capital scheme or project costing more than £10,000 shall be appraised as to its financial, human resources, property and economic consequences before detailed budgetary provision is made. The appraisal should cover:

- (a) Objectives and outcomes;
- (b) Ongoing revenue impact over life of project;
- (c) Net present value;
- (d) Sensitivity to changes in key assumptions;
- (e) Analysis of options;
- (f) Analysis of risks and impact;
- (g) Statement of how project will be managed and reviewed;
- (h) Statement that project is affordable and funding source has been specified;
- (i) Whether the scheme is an 'invest to save' project;
- (j) An estimate of the full value of any capital receipt expected to be received (if applicable).

- 5.2 This requirement applies to those projects which arise from a change in policy, or which will result in a change in working practice or a change in the method of service delivery.

Project justifications for capital schemes will be prioritised within the framework and assessment process as set out in the Council's Capital Strategy. In order to complete the above appraisal, a business case must be completed for each capital project, which will be approved by the relevant finance business partner and then considered by the Capital Programme Board. The business case must be approved by the Board before the project can be included in the service's capital programme and presented to the relevant service committee for approval.

- 5.3 The Section 151 Officer has delegated power to approve new capital bids, provided that the amount does not exceed a fixed sum of £250k (in line with the capital virement thresholds detailed in appendix [HG](#)).

6.0 Financial Control – Capital

- 6.1 The inclusion of an item in a service block's approved capital programme shall confer authority on the relevant executive director to incur that expenditure provided that:
- (a) The scheme has been appraised in accordance with Regulation 5.
 - (b) Where the scheme is to be financed from earmarked funds from government, approval to capital expenditure has been obtained from the relevant government department;
 - (c) The method of financing has been determined;
 - (d) Budget provision exists to meet any revenue consequences;
 - (e) Property transactions do not exceed the values set out in [the Scheme of Delegation to Officers \(Part 3D, see A5, A6 – which is contained within Part 3 – Responsibility of Functions\) Chapter G2 \(Scheme of Delegation to Officers - see A5, A6\)](#).
- 6.2 Budgets that trade have no power to borrow externally to meet capital expenditure requirements. Any expenditure arising must be financed directly from revenue or from accumulated reserves or via internal borrowing arrangements agreed by the Section 151 Officer.
- 6.3 The Section 151 Officer has delegated power to sanction any virement between capital schemes, provided that the amount does not exceed a fixed sum (as detailed in Appendix [HG](#)).
- 6.4 Only in exceptional circumstances and where the proposals are incapable of being met within the existing provision, may supplementary capital estimates be sought from the Strategy, Resources and Performance Committee. Any such request must be prepared in consultation with, and with the agreement of, the Section 151 Officer. A report shall be made by the relevant executive director and the Section 151 Officer to the Capital Programme Board and the Council's Corporate Leadership Team before any request for a supplementary estimate is put to the Strategy, Resources and Performance Committee. The Section 151 Officer has delegated power to approve supplementary capital estimates, provided that the amount does not exceed a fixed sum of £250,000 (in line with the capital virement thresholds detailed in Appendix [HG](#)).

7.0 Appraisal of New Revenue Schemes / Projects

- 7.1 Any new revenue scheme or project shall be appraised as to its financial, human resources, property and economic consequences before detailed budgetary provision is made. The appraisal should cover:

- (a) Project approach;
- (b) Resource requirements;
- (c) Cost and savings;
- (d) Risks and issues;
- (e) Project impact (including community impact assessment);
- (f) Delivery options;
- (g) Net revenue impact each year over life of project;
- (h) Statement of how project will be managed and reviewed.

The appraisal is to be approved by the relevant finance business partner.

- 7.2 This requirement applies to those projects which arise from a change in policy, or which will result in a change in working practice or a change in the method of service delivery.

8.0 Financial Control – Revenue

- 8.1 The inclusion of an item in a service block's approved revenue estimates for the financial year shall confer authority to incur that expenditure.
- 8.2 No expenditure may be incurred that cannot be met from the amount provided under the relevant head of the approved estimate, or by an approved virement, without the approval of the Strategy, Resources and Performance Committee. This regulation applies equally to any proposed reduction in income.
- 8.3 Supplementary estimates require the prior approval of the Strategy, Resources and Performance Committee. These may only be requested in exceptional circumstances where the proposals are incapable of being absorbed within approved financial provision or deferred to a later year. Any such request must be prepared in consultation with, and with the agreement of, the Section 151 Officer. A report shall be made by the relevant executive director and the Section 151 Officer to the Council's Corporate Leadership Team before any request for a supplementary estimate is put to the Strategy, Resources and Performance Committee.

Virement

- 8.4 The overall rules on virement are set out in [the Financial and Contract Rules \(Part 4.5, which is contained within Part 4 – Rules of Procedure\) Chapter G5 \(Financial and Contract Rules\)](#). The Section 151 Officer has delegated power to sanction any

virement between the main revenue budget headings in a service block, provided that the amount does not exceed a fixed sum, currently £175,000. Main budget headings are defined as the objective analysis of expenditure incorporated in the published budget report for each service block.

- 8.5 Where a virement between heads of expenditure is such as to impose a revenue burden in future financial years, the annual cost of the proposed expenditure shall be financed from within the relevant service directorates' base budget unless additional finance has been provided in future years.
- 8.6 The transfer of directorate-based funds from reserves to revenue must be approved in accordance with the rules for virement as specified in the Finance Management Arrangements for Services (Section 30).

9.0 Trading Activity

- 9.1 Services that trade both internally and externally are treated like any other revenue budget, whereby the expectation is any expenditure incurred must not exceed the funding available i.e. their income. If a traded unit realises a surplus or deficit at year-end, consideration must be given to whether this is absorbed within the relevant service's budget block, or is retained by the traded unit and managed through longer term service planning. Where a surplus or deficit is realised, the service can request that part or all of the balance be retained if clear rationale is provided for its use (or management in the case of a deficit), and this is identified within the traded unit's future business plans via the submission of a business case.
- 9.2 The only distinction with 'trading units' is in terms of annual returns and planning purposes where the Service Reporting Code of Practice (SERCOP) guidance is to be followed. A section is defined as a Trading Unit for this purpose where it meets one of the five criteria set out in Appendix C.
- 9.3 At year-end the reporting requirement for Statement of Accounts (SoA) states that any external trading must be reported separately within the Income & Expenditure Account with an appropriate disclosure note. Therefore, where a budget trades both internally and externally, the external element needs to be separately identifiable.
- 9.4 Further guidance for managers whose budget has a significant reliance on external income can be found in Appendix D.
- 9.5 Budgets that trade and rely solely on their income generation to fund their expenditure are recharged a corporate overhead charge based on the marginal cost of their activity. Appendix E shows a summary of the corporate services for which these budgets are charged for in this way.
- 9.6 Budgets that trade must not compete for work with other internal providers; they are, however, allowed to compete for external work, subject to the prior approval of the Section 151 Officer and the Monitoring Officer (considerations to be considered before taking on external contracts are detailed in Appendix D). In addition, services

that undertake work outside the normal responsibilities of the Council, i.e. for external customers, must inform the Council's Section 151 Officer in advance of submitting an offer to carry out such work and must obtain such insurance cover as the Head of Insurance prescribes.

- 9.7 Each budget manager who is responsible for a budget that trades should continually monitor the trading performance of their unit and immediately alert the relevant executive director and the Section 151 Officer should doubts about the financial performance of the unit emerge. The budget's financial results, outturn projections, and explanations of significant variances from the original plan are to be reported by Finance to the relevant policy and service committee quarterly.

10.0 Fees and Charges

- 10.1 Financial and Contract Procedure Rules require that all scales and levels of charges must be reviewed annually. All executive directors in the consultation with the Section 151 Officer shall agree a schedule of proposed fees and charges for the financial year. Revised fees and charges should be presented to respective service committees each year; any changes to this schedule should be approved via the Fees and Charging Request Template ([see Appendix J](#)) ([available on the Council's intranet](#)). An overall schedule of fees and charges for discretionary charges will be maintained by the Section 151 Officer and will be published on the Council's website.
- 10.2 The Business Planning process will assume that all fees and charges are increased in line with the latest inflation indices, therefore any charges not increased in line with inflation will create a revenue pressure that will need to be absorbed within the cash limit for that service block.

11.0 Partnerships

- 11.1 Before entering into a partnership the respective manager should consult the Partnership Governance Advice & Guidance. This guidance aims to improve the governance of any partnership you get involved in.

12.0 Debt Policy

Introduction

- 12.1 The Debt Policy is issued by the Section 151 Officer for Cambridgeshire County Council in accordance with the Council Constitution. They are corporate procedures and will be followed by all parties involved in the recovery of monies owed to the County Council.
- 12.2 Variations and exceptions to this policy can only be approved by the Section 151 Officer. Where leasehold or tenancy agreements prescribe, alternative debt

recovery arrangements are in place and are managed by the Property Service Area.

- 12.3 Departments must use upfront payments in all appropriate circumstances for all services provided before issuing invoices to minimise the potential for debts to occur.
- 12.4 All invoices issued by departments must be raised in the ERP system either directly or via an interface feed from a line of business system within a maximum period of 14 days from the date the service commenced / was delivered. Invoice raising should be in accordance with the prescribed procedure ensuring that where appropriate customer purchase order numbers are shown. Once the invoice is recorded in the ERP system the credit will be posted to General Ledger. The management information produced from General Ledger will, therefore, reflect the Council's accounting policy.
- 12.5 The Section 151 Officer will arrange for the debt to be collected through the Lead Authority Debt Team (hereafter referred to as 'the debt team'). Raising an invoice should lead to payment being received, however the relevant collections team will chase all unpaid invoices in line with the approved Debt Policy and Collections Process.

Payment and Credit Terms

- 12.6 Payment terms for accounts raised are determined by the raising department and will typically be either immediate or thirty days. Customers already on direct debit will have 19-day payment terms. If any other payment terms are required these must be presented to the Section 151 Officer, with a business case, to seek agreement prior to the issuance of an invoice. Monies owed are considered to be a debt once the payment due date has expired.
- 12.7 If Cambridgeshire County Council have had no dealings with a customer before or if the customer has a record of poor payment then consideration should be given to requesting payment before the goods or service are supplied. A paid invoice can be supplied after the event, if required.

This section will not apply to debts accrued as a result of community care services provided as a result of an Adult Social Care community care assessment.

- 12.8 Late Payment Interest: Under the "Late Payment of Commercial Debts (Interest) Act 1998" the Council is entitled to claim statutory interest at the Bank of England plus 8% for the late payment of commercial debts. The legislation also allows for the charging of a fixed sum depending on the amount of the debt on top of the interest. Any such costs, which may be recovered will be credited against corporate debt recovery costs and loss of interest and will not be credited to departmental budgets.

In certain circumstances, Adult Social Care may authorise a deferred payments scheme in line with the Care Act 2014 legislation. The debt is not invoiced in the

ERP system under this scheme and any queries should be directed to the Financial Assessments Service.

Invoicing

- 12.9 The ERP system contains customer name and address information for raising invoices, however, it is the responsibility of departments to ensure that the information is correct and up to date before raising an invoice. Departments should also include phone numbers and email addresses when requesting a new customer be created or updating an existing customer record as this data is vital in assisting with any debt recovery activity that may need to be undertaken.
- 12.10 If an original invoice over £100 is returned due to an incorrect address the debt team will instigate a customer trace with any costs incurred charged to the originating department.
- 12.11 If the invoice is under £100 it will be cancelled and the department informed. When a new address is known a new invoice will need to be raised by the department. Details on customer set up and maintenance and how to raise an invoice can be found on the Council intranet.
- 12.12 It is important that invoices are raised in respect of all debts as soon as the service has been provided or any liability incurred. Invoices must be accurate and they must not be speculative. They must be entered into the ERP system without delay.

Where the Council is in a contractual situation and stage payments are made a request for payment should be issued in the first instance. An invoice should only be raised once agreement has been reached on the amount to be paid. If an order has been part completed, consider raising an invoice for this part of the work, particularly if there will be a delay before completing the order and/or the order is large.

- 12.13 Invoices produced by the Accounts Receivable Team will not be returned to departments upon printing, nor will attachments be sent out with invoices. The most practical approach is to send correspondence or attachments under separate cover, preferably via email and say that an invoice will follow.
- 12.14 Departments are advised not to raise official invoices for amounts below £50 as the cost of collection will outweigh the income being collected. In these circumstances departments should collect payment before goods/services are delivered.

N.B. Where the supply is liable to VAT the debtor has a right to request either a VAT invoice or a VAT receipt. This right will normally only be taken up by a VAT registered trader.

- 12.15 If a debt has arisen as the result of an overpayment to a creditor, the first consideration should be given to deducting monies from further payments due, however if this is not possible then an invoice should be raised without delay.

Allocation of Payments

- 12.16 Payments received will be allocated against their respective invoice providing the customer has clearly specified which invoice the payment relates to. Unallocated payments will be held on the customer's account until it becomes clear which invoice it relates to. Some payments may get allocated against the oldest debt or against collection costs such as fees, costs and interest.
- 12.17 Where departments are asked for assistance in identifying unidentified cash they should respond within ten working days. Any unidentified cash, unapplied after six months, will be transferred into central funds. If this is subsequently identified prior to year-end closure, then a transfer to the departmental budget may be effected.

Debt Collection Timetable

- 12.18 Departments raising invoices are responsible for ensuring customers are aware of the payment terms and that the customer has the capacity to pay prior to an invoice being issued. The following process is only applied to invoices that have not been paid by the due date.

The debt collection process will commence four days after the invoice due date (to allow for any payment made right on the due date to clear and be applied) unless it is in excess of £5,000 in which case a telephone call will be attempted prior to the due date (providing telephone contact details have been provided and resources allow). The timetable below may alter depending on the individual circumstances of specific cases and if the customer makes or is in contact with the debt team (or department), for example, raising or resolving a dispute.

Due date + 4 days - if no response or payment has been received, the customer is issued with a first reminder requesting payment.

Due date + 12 day - if no response or payment has been received, the customer is issued with a final notice demand for payment.

Due date + 22 days - if no response or payment has been received, the customer is issued with a formal letter before action stating that the Council will look to commence legal proceedings if payment is not received within the next ten days.

Due date + 34 days - the debt will be assessed using the debt recovery strategy to determine what action will be taken next.

For all debts in excess of £500 attempts will be made to contact the customer by phone to discuss non-payment and make acceptable arrangements for the invoice to be paid, e.g. payment in full, set up a payment schedule. If no agreement can be

reached or contact made then either legal action will commence or the debt will be referred to an external collection agent (subject to any additional assessment for ASC debts).

For all debts between £250 and £500, where resources allow, attempts will be made to contact the customer by phone to discuss non-payment and make acceptable arrangements for the invoice to be paid, e.g. payment in full or set up a payment schedule. If no agreement can be reached or contact made, then the debt will be referred to an external collection agent (subject to any additional assessment for ASC debts). Legal action will only be considered in exceptional circumstances as the cost of the action will quickly outweigh the value of the invoiced debt.

Debts under £250 will be referred to external debt collections agents if they remain unpaid after 34 days.

At all times, the debt team will adopt a fair and reasonable approach towards the customer taking account of their circumstances and ability to pay. Any disputes with customers and/or departments that cannot be resolved by the debt team will be escalated initially to the Credit Control Service Manager for a decision. If agreement cannot be reached, a referral to the Lead Authority Head of Finance Operations and Council's Section 151 Officer will be made whose decisions will be final.

Often the threat of action plus the formal nature of the request is sufficient to at least prompt a response from the customer.

Securing Debt Arrangements

- 12.19 Any request to pay by instalments must be referred to the debt team who will contact the debtor to obtain details of their income/expenses and offer. The debt team alone will have the delegated powers to accept or reject any offer made. If the offer is not considered reasonable then they will inform the debtor and try to negotiate a better offer, however they may refer the debt to external collection agencies or for legal action if no better offer is forthcoming.

If a debtor fails to honour an instalment payment they will be contacted and reminded that a missed payment means that the whole of the debt becomes immediately due and normal recovery procedures will be applied.

- 12.20 Where invoices have been raised in the ERP system and the debt is subsequently secured by a charge on a property, the collections team might not chase the debt, subject to sufficient equity being proven. It is essential to have a legal charge over the property and not just a promise of payment against a future sale, as without a legal charge the team is powerless to enforce payment. The debt team will make the necessary enquiries in conjunction with Pathfinder Legal Services will ensure any security held is valid.

- 12.21 If notification of a firm/individual going into receivership/liquidation /bankruptcy is received, it should be forwarded to the debt team who will check for outstanding

debts. If there are any and they have already been referred to Pathfinder Legal Services then the debt team will call these cases/debts back together with any correspondence from the receivers/liquidators for them to manage appropriately and deal with the receivers/liquidators. If there are outstanding debts that have not been referred to Pathfinder Legal Services, the debt team will deal with the receiver/liquidators.

Debts Referred to External Collection Agents and Legal

- 12.22 Only debts that have been identified via the debt recovery strategy as viable will be referred to external collection agents or Pathfinder Legal Services to commence action. The debt team will contact the issuing department, if required, for any documentation necessary to complete the submission pack to these agents and Pathfinder Legal Services.

If a department wishes to refer a debt that failed the viability test under the debt recovery strategy, then it can submit a request detailing the reasons why legal action should be taken to the Lead Authority Head of Finance Operations for consideration. They will consult with Pathfinder Legal Services and, if the conclusion is that legal action is not appropriate, they will refer the debt back to the originating department. Appeals on decisions will be considered by the Council's Section 151 Officer whose decision shall be final.

Once the debt has been referred to Pathfinder Legal Services, the debt team will monitor progress and costs on a monthly basis. Pathfinder Legal Services will refer general queries to the debt team except where authority to incur additional costs over those anticipated in obtaining judgment is required, in which case they will contact the invoice-issuing department direct.

If at any stage in the process Pathfinder Legal Services consider there is no prospect of recovery or that it is not cost effective to continue the action they will notify the department and return the debt to the relevant collections team for referral to an outside collection agency or write off.

If Pathfinder Legal Services agrees an instalment plan with a debtor, then once one payment has been received the debt will be passed back to the relevant collections team to monitor receipt of future agreed instalments.

- 12.23 Legal proceedings result in the Council incurring additional costs. The Council's policy is that the legal costs should be included in the claim against the customer. Any legal costs that are not recovered from the customer will be charged back to the department who originated the invoice.

Any commission costs accrued for recovering debt through the external collection agent will be charged centrally on a monthly basis.

Enquiries from Customers

- 12.24 If a customer queries the validity of an invoice with the debt team then the invoice will be placed on hold and the query referred back to the originating department. If a debtor raises the same type of query directly with the originating department, the department must immediately notify the relevant debt team so that the invoice may be placed on hold.

Once a query has been raised the originating department must reply to the customer within five working days. If the debt team does not hear from the originating department they will assume the query has been resolved and debt collection activity will recommence.

Copies of all correspondence (and details of telephone conversations) must be sent to the debt team weekly as they are responsible for maintaining the debt history and will need to pass all relevant papers, including copies of correspondence, to Pathfinder Legal Services if the debt is referred.

Disputes – Invoices Placed ‘On Hold’

- 12.25 Where an invoice has been queried and placed on hold the originating department must keep the debt team informed of progress. If the query cannot be answered within the five day limit, the originating department must give the relevant debt team an indication of when the query will be settled. The originating department has a maximum of fifteen working days from the date of query to resolve the matter.

If the originating department cannot resolve the query within this extended period they must request the invoice remain on hold for a further specified period of time. If no extension has been requested the invoice will be taken off hold and normal debt collection activity will re-commence.

- 12.26 The Head of Finance Operations can decide to cancel any invoice that is on hold where queries are not being progressed as follows:

- (a) Debts below £1,000 will be cancelled via credit note and charged back to the originating department.
- (b) Debts above £1,000 or over will be reported monthly to the Head of Finance for review / action.

Cancelling an Invoice

- 12.27 Once an invoice has been printed it must not be changed or cancelled. If it is subsequently found to be incorrect, a credit note must be raised in the ERP system to either cancel the complete invoice or part thereof. These should be generated by the invoice originating department via the ERP system.
- 12.28 It should be noted that this relates only to those circumstances where the debt, as raised, is incorrect or unsubstantiated. If cancellation is required in other circumstances the invoice must be written off (see the Write Off section for further

details). Care should be taken in raising invoices to ensure that the need for cancellations is kept to a minimum.

Write Off

12.29 An invoice that remains outstanding after collection action will be subject to a write off process. Authority to write off the debt rests with the collections team subject to the delegated limits detailed below.

12.30 Delegation for Write Off

Following appropriate consultation with senior officers in the departments that own debt, write-offs shall be processed by the collections team in line with these delegation levels:

Debts over £25,000

Debts over £25,000 will be reported to the respective committee. The Head of Finance Operations will prepare details of any such debts for the Section 151 Officer to seek authority of the respective committee to write off.

Debts £500 to £25,000

Each month the Head of Finance Operations will prepare schedules by department of debt recommended for write off for authorisation by the Section 151 Officer. The schedules will include the reason for requesting a write off and confirmation that the collections process has been exhausted and confirmation from a departmental senior officer from the service area to the write off.

Debts below £500

Each month the debt team manager will prepare schedules by department of debt recommended for write off for authorisation by the service manager. The schedules will include the reason for requesting a write off and confirmation that the collections process has been exhausted.

12.31 The finance business partners in each department will be provided a copy of the appropriate schedules for information, of those debts to be written off.

12.32 Write offs will be charged in accordance with the Write Off Accounting Policy as determined by the Section 151 Officer. The current policy will be to write off back to the original invoice or equivalent codes irrespective of the financial year the invoice was raised in.

12.33 If payment is received after an account is written off the write off will be reversed (up to the value of the receipt) and the cash applied to the original account within the ERP system providing this occurs within the same financial year. If this occurs

in a subsequent financial year the payment will be considered a fortuitous gain and no reversing entries will be undertaken in the ERP system.

12.34 The full Debt Policy, including the collections process, can be found in the Lead Authority Collections Policy.

13.0 Audit

13.1 To comply with the Accounts and Audit Regulations (2015) the Council must ensure that it has a sound system of internal control that helps it perform its functions and achieve its aims and objectives; ensures the financial and operational management of the authority is effective; and includes effective arrangements for the management of risk.

13.2 Under the Scheme of Delegation, the Head of Internal Audit shall:

- (a) Maintain an adequate and effective internal audit of all the activities of the Council.
- (b) Have authority to visit all services, establishments and Trading Units of the Council and have a right of access, at all times, to such documents, other records, computer systems, and Council property as appears to them necessary for the purpose of the audit.
- (c) Be entitled to require from any officer such information and explanation as they think necessary to satisfy themselves on any matter.

13.3 Each executive director shall bring immediately to the notice of the Head of Internal Audit and/or Section 151 Officer any suspected or apparent financial irregularity affecting the Council. If the irregularity is confirmed, the Chief Executive shall be advised.

13.4 Internal Audit shall examine arrangements to ensure standards of internal control are adequate.

13.5 Attention is drawn to the statutory role of the Council's external auditors, which involves the same rights of access and entitlement as those set out for Internal Audit in Regulation 13.2.

14.0 Risk Management and Insurance Strategy

14.1 The Head of Internal Audit has delegated powers to establish and maintain a systematic strategy, framework and processes for managing risk. Part of the strategy is to identify the risks facing the organisation and analyse what types of protection are required to manage adverse risks.

- 14.2 Effecting insurance is one element of that strategy for the limited range of risks, including damage to assets and potential civil liability, which can be underwritten by insurance policies and give a measure of financial protection.
- 14.3 This strategy does not obviate the need for each executive director to manage all forms of business and operational risk in connection with the running of their services and activities.

Insurance Programme

- 14.4 The Head of Insurance in consultation with the Section 151 Officer, has delegated powers on behalf of all services to effect and manage insurance cover for specific risks and to decide what is the most appropriate package of internal (self-funded) and external insurance. This statement must be qualified by noting that school governing bodies are able to exercise choice over how they purchase insurance (subject to meeting minimum standards and limits of indemnity laid down by the Council) and are not bound to remain within the centrally arranged insurance policies or self-funded provisions if they wish to effect separate arrangements. The County Council's rights and interests must be named on all insurance policies held, irrespective of who has made the original arrangements.
- 14.5 For centrally arranged policies, the Head of Insurance is responsible for preparing specifications, obtaining quotations, procuring cover, negotiating claims and maintaining the necessary records in line with the insurance strategy and for ensuring that the contracting process is conducted in accordance with the prescribed requirements.
- 14.6 The Head of Insurance or their nominee shall make contractual arrangements with specialist advisers, including insurance brokers, financial actuaries, loss adjusters, solicitors and insurance companies as necessary in respect of all insurance matters involving the centrally arranged policies and self-funded arrangements.
- 14.7 The Head of Insurance shall keep a register of all insurance policies held and a full record of what property and risks are covered thereby.
- 14.8 A brief statement of the main policies taken out by the Council is given below. A budget manager must contact the Lead Authority Insurance Team if they think additional cover may be required. This will help protect the council from the risk of buying insurances that are unnecessary, too costly, not with the insurers who are appropriate, and avoid duplication of existing insurance arrangements.

Centrally arranged policies are:

- (a) Fire and associated risks for all buildings which the Council owns, or for which it has accepted legal responsibility by way of a lease or licence.
- (b) All public and employers' liabilities, including libel and slander, professional indemnity, officials' indemnity and land charges.

- (c) Personal accident cover for risk of assault on employees of the County Council and for injury to Council members and authorised volunteers.
- (d) Motor vehicles – comprehensive cover on all County Council vehicles, together with contingent liability cover for use of privately owned vehicles used on official business.
- (e) Pecuniary loss (money, fidelity guarantee and cheques indemnity).
- (f) Costs of reinstatement and recovery of ICT infrastructure and systems.

The Head of Insurance should be contacted at: insurance@cambridgeshire.gov.uk if further details are required such as the actual policy number, name of the current underwriters or any other information on the scope of cover or policy terms and conditions.

- 14.9 Enquiries about insurance matters must be channelled through the Insurance Section which can provide all necessary advice.

Record of equipment subject to inspection

- 14.10 Each executive director shall maintain suitable systems to record engineering plant and lifting equipment, which is subject to statutory inspection by an insurance company or other approved contractor, and for monitoring that inspection is carried out in the periods prescribed.

Notification of Changes of Risk

- 14.11 Each budget manager shall give prompt notification to the Head of Insurance of all new risks, property, vehicles and other assets or contractual obligations which require to be insured and alterations that may affect existing insured risks (including closure of buildings, sale of vehicles or disposals of other insured assets).
- 14.12 Where any contracts or partnership agreements are under negotiation with external bodies for services to be provided, budget managers must ensure that the potential risk exposure is analysed and suitable clauses included to apportion risk appropriately between the contracting parties involved. Advice must be sought on the appropriate levels of indemnity and type of risks to be insured. Some information is provided in The Purchasing Guide. The advice of the Monitoring Officer should be sought to ensure that these issues have been addressed correctly before any contract is signed.
- 14.13 Provision of indemnities which may assume legal liability for the actions of another party must not be accepted without full consultation with the Council's legal advisers and if accepted must also be notified to the insurance team.

Reporting of incidents, losses and potential claims

- 14.14 Budget managers must make a written report of any event, loss, liability or damage that may result in an insurance claim and give full and timely assistance with the conduct of any investigation that may follow. Advice must be sought immediately from the Insurance Team if there is a suspicion that a civil legal action is in prospect.
- 14.15 Civil procedure rules and protocols must be strictly adhered to in order to avoid cost penalties or unnecessary litigation expenses. Employees and other persons must not attempt to negotiate a settlement, give interviews, make statements or offer to pay compensation in any way that may prejudice any civil legal action that may be brought against the Council subsequently.
- 14.16 The same incident may lead to an investigation for an alleged breach of or failure to comply with some part of the Health and Safety at Work Act and the regulations made hereunder.

Use of motor vehicles

- 14.17 All workers using their own private vehicles on behalf of the Council shall maintain appropriate insurance cover for business use.
- 14.18 The Council has access to a stock of pool cars, which are available to all employees. Please refer to the travel guidance notes for further information.

15.0 Internal Controls / Assurance and Powers

- 15.1 Under [Article 11 of the Constitution \(contained within Part 2 – Articles of the Constitution\) Chapter G1 \(Role of Officers and Management Structure\)](#), the Service Director of Legal and Governance is designated as the 'Monitoring Officer' whose functions include:
- (a) Ensuring lawfulness and fairness of decision making in consultation with the Head of Paid Service (Chief Executive) and Section 151 Officer.
 - (b) Advising whether decisions are within budget and policy framework.
 - (c) Provide advice on the scope of powers and authority to take decisions, including matters of financial impropriety and probity.

16.0 Purchasing of Goods / Works / Services in ERP Gold

Introduction

- 16.1 The County Council is a major purchaser of goods, works and services. It is at the point of ordering that the County Council is committing expenditure. Therefore, the relevant budget manager must ensure that:

- (a) All orders are completed properly and appropriately authorised.
- (b) The extent of the commitment is known.
- (c) Budgets are not exceeded without appropriate authority.
- (d) Only goods / works / services as ordered and received are receipted on ERP Gold.
- (e) Purchases are lawful (i.e. within the powers of the County Council).
- (f) Purchases are only made for County Council purposes - workers are not permitted to use County Council orders for private purchases.
- (g) Value for money is obtained, with Contract Procedure Rules being strictly adhered to.

Note that the financial regulations 16.2 to 16.25 set out below apply to all employees of the County Council.

Where an agency / partnership arrangement exists such that there is an approved business case to allow a third party to exercise financial control on behalf of the County Council, the same principles detailed here apply. However, a series of limitations as to their permitted responsibilities must be applied, and can be found on the intranet.

All proposals for such arrangements must be agreed by the Section 151 Officer, and advice sought from Internal Audit and the Legal Section, as appropriate.

Overview of the Business Rules Underlying the Use of ERP Gold

- 16.2 ERP Gold allows for the electronic processing and authorisation of transactions relating to the purchase of goods / works / services.
- 16.3 ERP Gold also enables a set of control rules to enforce separation of duties in the purchasing of goods/works/services.
- 16.4 For purchasing goods / work / services in ERP Gold, three roles are required:
 - (a) Requisitioner;
 - (b) Approver;
 - (c) Goods Receipter.
- 16.5 The above roles are set in ERP Gold through the configuration of user profiles and responsibilities, linked to each user's personal identification (ID). To provide

separation of duties within ERP Gold, the profiles and responsibilities are set such that the requisitioner cannot also be the approver.

- 16.6 To ensure the appropriate authorisation of goods / works / services and that an adequate separation of duties is maintained. Workers must not in any circumstances share their ERP Gold password, nor give other users the opportunity to log on under their ID.
- 16.7 ERP Gold operates such that if the goods / work / services recorded as received agree to those ordered per ERP Gold, and the invoice subsequently matches the details already recorded on ERP Gold, the invoice will be processed for payment, without further pre-payment check and authorisation by the budget manager.
- 16.8 Therefore, the budget manager must ensure that an ERP Gold purchase requisition is completed and authorised for all purchases made (except where a government procurement card is being used and in specific areas approved by the Section 151 Officer), and the receipt of those goods / works / services must be recorded on ERP Gold.
- 16.9 Once a purchase requisition has been approved, the transaction is processed as an ERP Gold order, and the order issued to the supplier. The budget manager is not required to print the order and add a manual signature.

Approval Limits

- 16.10 Maximum authorisation limits for employees are linked to the individual's job role, rather than the individual. This ensures that users do not carry access to new jobs.
- 16.11 The maximum authorisation limits are set across the organisational structure:

Transaction Type	Budget Manager (Project Manager for Capital)	Head of Service	Service Director/ Assistant Director
	TIER4	TIER3	TIER2
Standard approval limits for procurement of goods, services, grants and benefits	Up to £200k	Up to £500k	Up to £1m

Authorisation of spend on packages of care within ERP Gold paid through the Mosaic system will be on the basis of need as identified in a social care assessment, the cost of which will be determined by the assessment and the best value care that can be sourced. This will be processed for payment by finance

officers within the service unless the care package is exceptionally high in which case it will be further authorised by social work and commissioning managers in care panels in line with the separate Scheme for Approving Care Package Expenditure in Mosaic (Appendix [H](#)).

16.12 As a prerequisite to approving any expenditure in ERP Gold (or via any other route), all officers must ensure that they have appropriate delegated authority. For items above the £500k key decision threshold, this will be principally that the budget has been agreed (normally as part of the business plan), and that the procurement approach and award of contract has been decided and delegated by the appropriate committee. Officers should then operate only within these delegations according to the following authorisation set out in 16.11 and 16.13 (which are set in ERP Gold).

16.13 Enhanced Approval levels

Transaction Type	Budget Manager (Project Manager for Capital)	Head of Service	Service Director/ Assistant Director
	TIER4	TIER3	TIER2
Enhanced Order limits for specific business areas such as capital, waste etc.	Up to £1m	Up to £5m	Up to £7m

If an employee requires an approval limit higher than the standard limit allowed for their tier in the ERP Gold hierarchy because the value of orders they regularly need to approve exceeds the limit set out in 16.11 above, then this will need to be requested via their financial adviser and signed off by the Head of Finance as an exception. Enhanced approval levels should not be requested so as to approve one-off invoices. If a single invoice exceeds the approval limit of the officer who normally approves invoices on that budget code, then approval should be sought from an officer in a higher authorisation band.

Raising Orders for Goods / Work / Services

16.14 Approved County Council suppliers must be used for all purchases made. Where no approved supplier can provide the goods / works / services, the budget manager must submit a formal application to Accounts Payable for approval before the goods / works / services are ordered.

16.15 The County Council's Contract Procedure Rules must be followed in respect of all purchases. The Council has decided that all contracts must be in writing or placed

using ERP Gold or a government procurement card. The Procurement Team can be contacted at Procurement2@cambridgeshire.gov.uk.

- 16.16 The budget manager must authorise all orders raised. (When planning to be on leave budget managers should set a substitute budget manager via ERP; this must be a post-holder with a role higher up the ERP Gold Tier Hierarchy, see 30.4.)

Receipting of Goods / Work / Services

- 16.17 Goods / works / services when received must be receipted (GRN) as such on ERP Gold.
- 16.18 Wherever possible, the officer recorded in the system as receipting the goods or services should be the person who actually verified them.
- 16.19 However, in all cases the officer recorded in the system as having receipted the goods / works / services is responsible for ensuring that they are receipted on ERP Gold only where they have been physically received or carried out and examined as to quantity and quality, as ordered. Whenever practical the receipted should not rely on verbal assurances from another officer.

Variations between Orders and Goods / Works / Services Received

- 16.20 Where the goods / works / services received vary to that originally ordered, and this exceeds the agreed tolerance threshold, the budget manager must authorise the additional amount before the invoice can be paid. If the budget manager disputes the difference from the original order they must reject the tolerance in ERP Gold. The budget manager must liaise with the supplier to agree a resolution, and update Accounts Payable on the invoice dispute.
- 16.21 Budget managers should regularly review their list of open purchase orders and close off any that are no longer required. Guidance on purchase order maintenance can be found on the intranet.

Payment of Accounts

- 16.22 The County Council is liable for payment of interest where invoices are not paid within thirty days of receipt or per the supplier's payment terms.
- 16.23 To reduce the delays in the processing and payment of invoices, ensure that invoices are submitted electronically wherever possible; invoices received directly from a supplier should be forwarded promptly to ccc.invoices@cambridgeshire.gov.uk.
- 16.24 Where postal invoices are received in respect of orders raised in ERP Gold, these will be date-stamped on the date of receipt by Accounts Payable and registered by Accounts Payable.

16.25 The requirements of the sub-contractors – Construction Industry Tax Scheme must be complied with.

17.0 Personal Employee Expenses

17.1 The County Council has a responsibility to provide HMRC with details of all benefits in kind provided or expenses reimbursed to its employees, and must ensure that National Insurance contributions are collected on all qualifying expenditure.

17.2 The Council uses ERP Gold for mileage and expenses claims, which allows employees to submit their expense claims electronically for their line manager's approval.

17.3 Employees need to submit their mileage and expenses e-form claims on a monthly basis. Employees must submit their expenses claim within a two month timeframe from the claim date. An employee must allow enough time for their manager to approve before the submission deadline.

17.4 The budget manager is responsible for:

- (a) Ensuring that payments are only made to bona fide employees who are eligible to receive payments at that time according to current rules laid down by the County Council.
- (b) Ensuring that payments are in accordance with current rates.
- (c) Making prompt, complete and accurate returns (P11D) to Employee Benefits in the Lead Authority team, of information needed for returns to HMRC such as cars provided to employees outside a normal lease car scheme, telephones, living accommodation etc., and any other possible taxable benefits.

17.5 All claims for reimbursement of expenditure by individuals must be processed via ERP Gold and not via imprest, petty cash or bank accounts.

17.6 The approving manager needs to see the receipts before approving any claim. All receipts need to be stored locally, by month (these will be required in the event of an HMRC Inspection). All receipts need to be stored for six years. If a manager leaves they must ensure that stored receipts are handed over to the new manager.

17.7 Further guidance on travel and expenses can be found on the intranet.

18.0 Payroll

18.1 It is the legal duty of the Lead Authority Head of Payroll and HR Transactions to make proper arrangements for the operation of PAYE and National Insurance procedures for all employees, including relief, fixed term and part time employees.

- 18.2 The Council's payroll service is responsible for processing temporary data, administration and validation of the payroll run, production of payslips, P60's, cheques, BACS, and production of a costing file for interface to the general ledger. Payroll also supply information to various statutory bodies including HMRC and act as the first point of contact in dealing with payroll queries.
- 18.3 The County Council operates a shared payroll service provided under a Lead Authority arrangement by West Northants Council, within which a payroll services manager monitors payroll and works with the HR, pensions and finance nits to ensure high quality service delivery.
- 18.4 The rules for determining whether an individual is treated as an employee or as self-employed for tax purposes are complex, and there are severe penalties for failing to deduct tax where it is due. Budget managers should refer to detailed guidance available on the HR web pages of the intranet including on [consultants](#) and interims. Advice on determining an interim or consultant's legal status is available via the HR Advisory Team, HR.Advisory@cambridgeshire.gov.uk. Full details are given in the Consultants Policy and Agency Workers and Interims Policy.
- 18.5 It is the budget manager's responsibility to ensure that:
- (a) Payments are correct, authorised and accounted for properly.
 - (b) Payments are made only to bona-fide employees of the authority and to valid beneficiaries of the Pension and Compensation Schemes.
 - (c) Allowances and deductions are authorised, correct and are properly accounted for and the persons in receipt of allowances are eligible for them.
 - (d) Payments are lawful (i.e. within the powers of the County Council).
 - (e) Payments are within budget.
 - (f) Changes in terms of employment and requests for payment are notified to HR or Payroll (as applicable) at the due time in accordance with the payrun schedule.
- 18.6 The budget manager must ensure that the appointment of all employees is in accordance with the policies of the Council, at the approved grades and rates of pay (see Recruitment).
- 18.7 No officer may authorise any notification to HR or Payroll concerning amendments to their own pay.
- 18.8 The Council's HR service must be notified as soon as possible, using either the Employee Leaver or Establishment form, of all matters affecting payroll payments, such as appointments, dismissals, resignations and retirements, or any other change of circumstances affecting remuneration.

18.9 The budget manager must ensure that Payroll is forwarded correctly completed timesheets / claims for payment of at the due time. Particular attention should be paid to entering the correct employee assignment number to ensure not only that the correct record is paid (and costed accurately) but that payment is statutory compliant in respect of income tax and National Insurance deductions.

18.10 All documents sent to Payroll should identify clearly to whom they relate, i.e. by showing the name, payroll reference number and/or job title and place of work.

18.11 The Council will seek to avoid under/over payment of salary. However, where this may occur please refer to the Payroll Corrections Policy.

19.0 Grants

19.1 Grant claim forms should be completed in accordance with claim instructions.

19.2 Claims should be signed in accordance with claim instructions. However, the authority of the Section 151 Officer to sign grant claims is delegated to the strategic finance managers.

19.3 The Head of Internal Audit should be notified in advance of any grant claim being submitted where there is a requirement for an audit of the expenditure.

19.4 Budget managers should advise their relevant finance team of any competitive grant applications submitted.

19.5 On receiving notification from the funding provider that an application has been successful, the budget manager must notify their finance team of the forthcoming income.

19.6 It is the budget manager's responsibility to ensure that a specific budget code is assigned to the income.

19.7 The budget manager must also check that the amount awarded matches the amount that was applied for by referring to the copy of the application that has been retained on file by the budget manager.

19.8 The Grants to External Organisations Policy covers the Council's regulations around the offering, acceptance, and monitoring of local grants to external organisations. Budget managers involved in awarding grants or monitoring grant usage should ensure they are familiar with this policy.

20.0 Income

20.1 It is the budget manager's responsibility to ensure that procedures for the collection or invoicing of income due are operating such that:

- (a) All income due is identified and accounted for properly.
 - (b) Invoices for income due (or credit notes) are raised as soon as the chargeable goods or services are provided. Invoices should be raised using ERP Gold, or where ERP Gold is not available, the Accounts Receivable Team must be notified.
 - (c) All monies received are brought into account promptly, correctly, accurately and completely.
 - (d) All income collected is held securely, banked promptly and intact.
 - (e) VAT is accounted for correctly. (For further information, see VAT Basics Guide.)
 - (f) Instruction to cancel an invoice must be completed on ERP Gold by the budget manager.
 - (g) Invoice write-offs must follow the procedures in 12.29 - 12.33 of the Scheme of Financial Management.
- 20.2 Employees should be aware of the Council's Anti-Money Laundering Policy. This applies particularly to employees regularly handling cash. The Money Laundering Reporting Officer should be contacted in accordance with this policy if a money-laundering activity is known or suspected. The County Council will not accept settlement in cash of any transaction above the value of £7,500.
- 20.3 All monies received must be receipted on an official County Council paying-in book or otherwise adequately recorded at the time of receipt.
- 20.4 Where the Unit has access to ERP Gold, all income received must be recorded via an entry on ERP Gold to ensure that funds are allocated appropriately. Where ERP Gold is not available, the Accounts Receivable Team must be notified of receipt of funds.
- 20.5 Each officer responsible for paying money into a bank account must enter onto the copy paying-in slip sufficient information to identify each transaction including the amount of the cheque and a reference (such as receipt number or debtor name) to connect the cheque with the service provided. On the back of each cheque the officer should enter sufficient detail (i.e. cost centre) to identify the department or establishment.
- 20.6 On handing cash over to another person, all employees should ensure that they receive a suitable formal acknowledgement such as a receipt.
- 20.7 To ensure adequate separation of duties within the cash collection and banking process, different people should undertake the following activities:

- (a) Collecting or receiving money;
- (b) Recording and banking receipts;
- (c) Reviewing and reconciling receipts to cash banked; this must be a different person from the persons carrying out (a) and (b);
- (d) Authorisation of debt write offs; this must be a different person from the persons carrying out (a) and (b);
- (e) Custody of saleable stock and materials.

21.0 Cash Security

- 21.1 All officers involved in cash handling have a duty to ensure that practice and procedures properly safeguard cash holdings in their possession, but not at any risk to their own person.
- 21.2 Budget managers must ensure that written procedures exist covering the aspects of cash security covered below, and what action workers are to take in emergencies, e.g. attempted theft, fire alarms etc.
- 21.3 Budget managers must ensure that adequate arrangements are made to safeguard monies pending banking. Such arrangements include:
 - (a) Use of locked cashboxes held in a safe or locked drawer or cabinet.
 - (b) Restricted access to the keys for the above.
 - (c) Locking cash away when unattended.
 - (d) Not counting cash or accessing the safe etc. in view of visitors and members of the public.
 - (e) Where large amounts are collected, considering the physical security of the cashier's office (e.g. access arrangements to the cashier's area; screens; alarm systems etc).
- 21.4 Budget managers must ensure that banking arrangements minimise monies held, do not exceed insurance levels and minimise the risk to staff undertaking the bankings. Such arrangements include:
 - (a) Measures to minimise actual cash (e.g. use of cheques and debit / credit cards).
 - (b) Regular bankings, at least weekly, and daily whenever cash exceeds £5,000.
 - (c) Use of night safe facilities when banks are not open.

- (d) Varying the timing and route of visits to the bank, and the staff undertaking the bankings.
- (e) Not utilising conspicuous bags etc. to transport monies.
- (f) Use of security services for cash sums in excess of £5,000.
- (g) Budget managers must not allow levels of cash held to exceed the maximum permitted limits (£5,000) set under the insurance policy for monies held in a safe during working hours and overnight.

22.0 Imprest Accounts

22.1 Imprest bank accounts are used for items of expenditure for which it is not practical/cost-effective to pay through the normal payments system. Generally, such payments will be small in value, or one-off purchases. Payments to regular suppliers should be made through ERP Gold or local bank accounts (schools only). The Council requires that Imprest Accounts should be held at an absolute minimum. Government procurement cards (see Financial Regulation 23) must be used where an establishment regularly purchases individual items with a value of less than £50.

22.2 The budget manager (account holder) is responsible for ensuring that:

- (a) Imprest cash and chequebooks are safeguarded from theft and misuse, that access is restricted, and that they are locked away when not in use.
- (b) Expenditure incurred through Imprest accounts is bona-fide, lawful and in accordance with the requirements of the service.
- (c) Expenditure is within budget limits.
- (d) There are adequate procedural notes specifying the respective responsibilities of staff involved in the operation of the Imprest Account.

The Payables Team, within the Lead Authority Finance Operations Service, will monitor the use of Imprest accounts.

22.3 The opening of Imprest accounts must be authorised in accordance with the Scheme of Operation approved by the Section 151 Officer. The Payables Team must be notified of any wish to close, amend or transfer an Imprest account.

Inappropriate Expenditure

22.4 The following expenditure must not be made through Imprest accounts:

- (a) Payment of salaries or wages to employees or payments which could be considered as such by HMRC e.g. honoraria.

- (b) Payments to contractors in the construction industry (for more information, see Subcontractors – Construction Industry Tax Deduction Scheme).
- (c) Payment of any expenses to County Council employees.
- (d) Payment for items which can be acquired using a government procurement card.
- (e) Payment of cash to ‘casual’ workers or young people.
- (f) Payments or rewards to employees that are unacceptable e.g. paying for an employee’s retirement do.

Supporting Documentation

- 22.5 Claims must be submitted and approved via ERP Gold. They should be submitted sufficiently regularly to ensure the account does not become overdrawn (normally at least monthly).
- 22.6 Claims must be supported by adequate documentation to support the expenditure incurred. This should demonstrate that the expenditure is bona-fide, lawful and in accordance with the requirements of the service. The documentation should record:
- (a) The reason for / details of the expenditure;
 - (b) Date expenditure was incurred;
 - (c) Amount of expenditure;
 - (d) Signature of person incurring the expenditure;
 - (e) Where expenditure incurred is large (over £30), a second member of staff must sign the supporting documentation.
- 22.7 Wherever possible the supporting documentation must be a VAT invoice / receipt to enable the VAT element to be reclaimed. Failure to obtain such a voucher means that budgets will have to bear the VAT element of any expenditure.

Separation of Duties

- 22.8 There must be a separation of duties between the persons:
- (a) Operating the Imprest and preparing the claim and reconciliation statement (signing the “Prepared By” statement); and
 - (b) Signing the certification statement on the claim.

- 22.9 The person operating the Imprest and preparing the claim and reconciliation must not be a cheque signatory.
- 22.10 The person signing the claim certification statement is responsible for:
- (a) Checking that the documentation supporting the claim is complete and satisfactory
 - (b) Checking that the claim and reconciliation statement is correct both in principle and arithmetically;
 - (c) Physically checking the figures in the reconciliation statement, e.g. verify the accuracy of the cheques outstanding figure and the bank balance;
 - (d) Counting cash in hand, and ensuring it agrees to the amount entered on the claim.
- 22.11 Reimbursement of claims will normally be made direct to the bank, the amount being notified to the account holder. No other monies are to be paid into the imprest account.

Imprest Levels

- 22.12 The Imprest account must never go overdrawn. Any overdrawn accounts will be immediately referred to the budget manager, who must take the necessary remedial action. Government procurement cards should be used to ensure expenditure does not exceed Imprest levels.
- 22.13 Imprest account levels should be monitored to ensure that they continue to provide sufficient funds to cover approximately eight weeks average Imprest expenditure. Services should specify procedures for approving Imprest levels. Temporary increases can be obtained to cover anticipated periods of exceptional expenditure.
- 22.14 Further guidance on imprest accounts can be found on the intranet.

23.0 Government Procurement Cards

- 23.1 Government procurement cards are to be used for items of expenditure for which it is not practical / cost-effective to pay through ERP Gold. Generally, such payments will be under £50, or one-off purchases, or where it is inefficient to raise an order and pay an invoice (e.g. conference fees, books, subscriptions, rail travel).
- 23.2 Each government procurement card is assigned to an individual cardholder who has personal responsibility for its proper operation, in accordance with this regulation.

- 23.3 The budget manager is responsible for ensuring that all staff assigned a government procurement card are operating procedures such that:
- (a) Cards are safeguarded from theft and misuse;
 - (b) Expenditure incurred through the use of government procurement cards is bona-fide, lawful and in accordance with the requirements of the service;
 - (c) Expenditure is within budget limits.
- 23.4 All cardholders must use their government procurement card in accordance with the requirements laid down in the GPC User Guide. For further info contact gpc@cambridgeshire.gov.uk. The Accounts Payable Team will monitor the use of government procurement cards to ensure that the requirements are adhered to.
- 23.5 The allocation of government procurement cards must be authorised by the budget manager and sanctioned by the payables manager. Transaction limits and monthly credit limits for each card must be approved by the payables manager.

Supporting Documentation

- 23.6 A transaction log will be maintained for all cardholders on Smart Data On-Line. The cardholder is required to ensure a clear description of the purchases and the reasons for the purchases are entered onto the system by 15th of each month.
- 23.7 All expenditure must be supported by adequate documentation to substantiate the expenditure incurred. This should demonstrate that the expenditure is bona-fide, lawful and in accordance with the requirements of the service. The documentation should record:
- (a) The reason for and details of the expenditure;
 - (b) Date expenditure was incurred; and
 - (c) Amount of expenditure.
- 23.8 Wherever possible the supporting documentation should be a VAT invoice/receipt to enable the VAT element to be reclaimed. Failure to obtain such a voucher means that budgets will have to bear the VAT element of any expenditure.
- 23.9 Receipts for spend, including VAT receipts, should be held for seven years and be easily accessible should they need to be inspected.
- 23.10 The budget manager is responsible for checking the transaction logs online and authorising by the 20th of each month that the payments are within budget and lawful.

24.0 Stocks and Stores

- 24.1 The County Council holds stocks and stores of some items needed on a day-to-day basis.

The budget manager is responsible for ensuring that adequate procedures and financial controls are in place to ensure the appropriate use of these assets; such that:

- (a) Records and procedures are sufficient to identify transactions and the volume and value of all usable stocks / stores held.
- (b) Stocks and stores are properly secured.
- (c) Best value is obtained in the provision of stocks and stores.

Stocks/Stores Records

- 24.2 The minimum stock records that must be maintained (whether manual or computerised) are:

- (a) Stock item number (if applicable);
- (b) Stock description;
- (c) Issues - date and quantity;
- (d) By whom the stock was issued;
- (e) To whom the stock was issued;
- (f) Receipts – date and quantity;
- (g) Returns – date and quantity;
- (h) Recommended order quantities for stock replenishment;
- (i) Orders outstanding.

- 24.3 The receipt and issue of all stocks and stores should be adequately authorised and recorded promptly.

- 24.4 Records should value stocks / stores following the Council's Accounting Policy, which requires that stocks be valued at the lower of cost or net realisable value.

Security

- 24.5 Stocks and stores (and stores records) should be held securely, properly insured and access should be restricted to authorised staff.

Stock Checks

- 24.6 A systematic approach to stock checking must be taken, including completing an independent physical count of stocks at least once a year. During the year, storekeepers should check stocks held to stock records on a regular basis. Results of stock checks and records of all adjustments should be maintained for inspection by Internal Audit.
- 24.7 Where stock accounts are maintained in ERP Gold, a stock certificate ([see Appendix G](#)) and a stock template (see the closedown intranet page) must be completed at the end of each financial year and returned to the appropriate finance team.

Authorisation and Approval

- 24.8 Orders should be completed in accordance with the Financial Regulations on the purchasing of goods / works / services.
- 24.9 Separate people should carry out the three elements of stores management, i.e.:
- (a) Authorisation (of orders to replenish stocks, write offs, or stock usage);
 - (b) Custody of stocks/stores and record keeping;
 - (c) Checking stocks to records.
- 24.10 Where, as a result of a stock check, a deficiency is identified, amounts of up to £25,000 may be written off by the Section 151 Officer. Where the adjustment is greater than £25,000 it must be approved by the Strategy, Resources and Performance Committee in accordance with the Constitution. Full records of all adjustments must be retained for audit inspection.

Best Value

- 24.11 In general, stocks / stores should be maintained at minimum levels consistent with operational requirements.
- 24.12 Order quantities should be calculated to obtain economies in purchasing consistent with minimising investments in stocks as in 24.11.
- 24.13 Where stocks have a limited shelf life or are liable to obsolescence, stores should be used on a first in first out basis.

24.14 Disposal of surplus or obsolete stocks / stores must be undertaken in accordance with [the County Council's Contract Procedure Rules Chapter G7 \(Contract Procedure Rules\)](#).

24.15 Indicators of stores performance must be kept to provide information on effective stock management:

- (a) Value of stock by type of stock and total value;
- (b) Results of physical counts;
- (c) Surpluses and deficiencies between physical and recorded stock balances;
- (d) Out of stock situations;
- (e) Stock turnover ratios;
- (f) Excessive and / or slow-moving stocks;
- (g) Items written off and the reasons for write-off;
- (h) Disposals of equipment; and
- (i) Frauds, theft discovering, and attempted security violations.

25.0 Security of Assets

25.1 This regulation applies to all assets (owned or leased), which cost more than £500 and to all portable and attractive items owned by the authority.

25.2 Budget managers are responsible for ensuring that:

- (a) Proper security is maintained at all times for all buildings, furniture, plant, equipment, vehicles, stores, stocks, cash etc. under their control. They should also aim to achieve maximum utilisation of such assets in the provision of services.
- (b) Appropriate inventory records are maintained, in accordance with the instructions in Appendix F.
- (c) Surplus or obsolete materials, stores or equipment are disposed of in accordance with the County Council's Contract Procedure Rules.

25.3 Inventory records should ordinarily be maintained using the standard County Council Inventory Book, obtainable from Facilities Management. Any alternative method of recording inventories must be approved by Internal Audit.

25.4 Registers of key holders for buildings, safes etc. should be maintained. Keys should be issued to as few people as possible.

25.5 The Section 151 Officer shall maintain a register of all properties held by the authority, showing the purpose for which the property is held, the location, extent and plan reference, purchase details and the nature of the interest.

25.6 The Section 151 Officer shall arrange for the safe custody of title deeds in respect of land and properties.

26.0 Information Management Security

26.1 The County Council's Information Sharing Framework must be followed. For further information, contact data.protection@cambridgeshire.gov.uk.

27.0 Fraud and Corruption

27.1 The County Council is committed to the elimination of fraud and corruption and is determined to protect itself from such unlawful activities, whether they are attempted from within or by an outside individual, group or organisation. The County Council's Anti-Fraud and Corruption Policy must be followed. Internal Audit can be contacted at Internal.Audit@cambridgeshire.gov.uk.

28.0 Whistleblowing

28.1 The County Council is committed to the highest possible standard of operation, probity and accountability, and recognises that its workers are often the first to realise that there may be something wrong within the Council. Please follow the Whistleblowing Procedure, rather than ignore the concern. Internal Audit can be contacted at Whistleblowing@cambridgeshire.gov.uk

29.0 Audit Reporting and Escalation Protocol

29.1 Audit managers are responsible for ensuring that draft audit reports are issued within a maximum of four weeks of completion of the audit fieldwork. Recipients of audit reports are responsible for responding in writing to the factual accuracy of the draft report and providing a satisfactory response to recommendations within four weeks of issue. Reminders to draft reports are issued after four weeks. Final audit reports will be issued incorporating the management response within two weeks of receipt. For expediency, email is the preferred form of communication.

29.2 Where material recommendations are not accepted or no response is received within the timeframes specified, the audit manager will discuss with the client and, if still no acceptance or response, will report to the relevant director.

- 29.3 If a satisfactory response is not received after referral at 29.1 above, the audit manager reports to the Head of Internal Audit who decides on further action. (This may involve reporting to the Section 151 Officer with recommendations for further action).
- 29.4 Where responses to draft reports have not been received within two months, this will be reported to the Audit and Accounts Committee.
- 29.5 Timescales will be accelerated where there is significant risk of material loss or error or where particularly sensitive or contentious issues are involved.
- 29.6 Audit managers are responsible for bringing to the attention of the Head of Internal Audit, significant audit findings and sensitive or contentious issues.
- 29.7 The Head of Internal Audit briefs the Section 151 Officer monthly on audit issues and findings. The Head of Internal Audit is responsible for deciding on those issues sufficiently important to bring to the attention of the Section 151 Officer between these meetings.
- 29.8 The Head of Internal Audit is responsible for identifying and reporting major issues to the Section 151 Officer and appropriate Corporate Leadership Team members.
- 29.9 A periodic 'audit issues' report is presented to the Audit and Accounts Committee. Between meetings of the Committee the Head of Internal Audit is responsible for reporting major issues to the Chair of the Committee.
- 29.10 Follow-up audits have been introduced to ensure proper implementation of audit recommendations where major weaknesses in systems have been identified. Progress on the implementation of recommendations is reported periodically to the Audit and Accounts Committee.

30.0 Finance Management Arrangement for Services

30.1 Service Management Teams

- 30.1.1 Collectively, service management teams have a responsibility to ensure the right climate for financial management to meet their objectives. A crucial element of this is striking a balance between keeping control of the office's overall position whilst giving individual managers the responsibility and managerial freedom to take decisions themselves.
- 30.1.2 Service management teams need to recognise that all directorates within the service make a vital contribution to the achievement of the Service Plan and key objectives. In determining annual budget cash limits, and allocating either budget cuts or new resources, the service management team will seek to ensure, within the context of the political decision-making process, a fair distribution of resources between directorates. The framework within which this principle of budget allocation will apply is the business planning process.

30.1.3 Service management teams will receive a monthly finance monitoring report from their strategic finance manager throughout the year (except for April) setting out the latest position and including (from May) an updated outturn projection for the service. This will be based on the information from the ERP Gold system as adjusted for any additional information available. It is a service management team responsibility to monitor spending against the cash limits approved by Full Council. Other management teams throughout the service should also consider such reports on a regular basis.

30.1.4 Each service shall, at all times, endeavour to secure best value for money and shall:

- (a) Establish, wherever possible, cost targets and performance measures for its various services and functions;
- (b) Establish sound arrangements for the planning, appraisal, authorisation and control of its resources and ensure that these are working properly in order to achieve economy, efficiency, and effectiveness in its operations; and
- (c) Establish arrangements to achieve and report efficiency savings as required by the Council.

30.2 Budget Reviewers

30.2.1 Individually, members of the service management team, and other line managers, will act as budget reviewers for their own areas of responsibility. As the line manager of budget managers, this reviewing role involves:

- a) Monitoring budget managers' management of budgets and delegation arrangements through regular supervision, periodic managerial (team) meetings and the annual appraisal system.
- b) Promotion of budget manager skills and abilities in financial management in order to reduce financial risk, in accordance with the Financial Training Plan.
- c) Communication to their staff of financial decisions taken at the service management team.
- d) Agreeing with the budget manager any significant remedial action required to keep within budget, and to meet corporate targets in relation to prompt payment of invoices and debt collection.
- e) Reviewing debt management protocols and criteria.
- f) Authorising virements between their budget managers, on ERP Gold, in accordance with Appendix [HG](#), to ensure, collectively, expenditure is kept

within target, and taking advice from the relevant capital accountant in relation to virements of capital between programme areas.

- g) Reporting to the service management team, when the strategic finance manager presents monthly finance & performance information, any significant action taken or required to keep on budget. Where, overall, a major budgetary problem is forecast, the budget reviewer must identify and report on options to bring expenditure back within budget.
- h) Ensure that Council targets relating to required efficiency savings are being achieved and reported.

30.3 Budget Managers

30.3.1 Financial regulations operate on the principle that every budget head has one (and only one) budget manager.

30.3.2 The budget manager's role is to:

- a) Set the budget level of individual expenditure/income lines within the cash-limit allocated, using ERP Gold, in accordance with instructions issued by Finance.
- b) Authorise orders for expenditure to be incurred, and arrange for income to be collected, against budgets held.
- c) Control budgets within the overall total allocated to them.
- d) Ensure that financial administration (including any records not kept on ERP Gold) in connection with budgetary responsibilities is carried out efficiently in accordance with financial regulations, consistent with meeting corporate targets set for prompt payment of invoices and debt collection.
- e) Respond to the Debt Management referrals in accordance with the Debt Policy.
- f) Develop personal and team skills in financial management and administration.
- g) Approve virements within their budget responsibility, as allowed by these regulations.
- h) Ensure that transactions are coded to correct account codes on the financial ledger to ensure accuracy in the Council's externally audited Statement of Accounts, and to comply with the Local Government Transparency Code. (Further information on account codes and expenditure categories is given in the Budget Manager Information Pack.)

- i) Update monthly outturn forecasts on a regular basis, in ERP Gold, in accordance with timetables, in conjunction as necessary with their financial adviser, and alert their budget reviewer to significant budgetary problems.
- j) Ensure correct profiles are used on ERP Gold, to aid budgetary control.
- k) Respond to Internal Audit reports on areas specific to their responsibility, within timescales agreed with the Head of Internal Audit.
- l) Identify and report to their budget reviewer, efficiency savings made.
- m) Safeguard accounting documentation held to prevent loss, destruction or unauthorised alteration. Data maintained on computer must be physically and logistically protected and regularly backed-up to ensure that data can, if necessary, be recreated within a reasonable working period.

30.3.3 The budget manager is responsible for:

- a) Positively promoting a culture of probity and sound financial discipline and control as requirements of the organisation.
- b) Understanding and ensuring compliance with this Scheme of Financial Management.
- c) Complying with service variations to the Finance Management Arrangements for Services.
- d) Timely implementation of agreed audit recommendations.
- e) The introduction and maintenance of adequate and cost-effective systems of internal control within their area of responsibility.
- f) Initiating exception reports, where necessary, for the strategic finance manager and / or Head of Internal Audit.
- g) Reporting any potential overspending or underspending to their line manager in a timely manner.
- h) Training and developing themselves and their staff in relation to financial competencies.

Further budget manager guidance is available within the Budget Manager Information Pack. All budget managers will be asked to sign up to the above roles and responsibilities through the return of a signed Budget Manager Agreement Form.

30.4 Substitution of Financial Responsibility

30.4.1 When planning to be on leave budget managers should select a substitute budget manager on ERP Gold to ensure that authority regarding the processing of their budget-holding responsibilities, including authority to authorise ERP Gold orders, is temporarily reassigned. A substitute budget manager must be a post-holder with a role higher up the ERP Gold Tier Hierarchy, e.g. a budget manager with Tier 4 approval rights must request a substitute budget manager at Tier 3 (Head of Service) or above.

30.4.2 Budget managers must ensure that these temporarily reassigned arrangements are communicated to staff concerned.

30.4.3 In any case, the formal ultimate responsibility for managing budgets rests with the designated budget manager. They must ensure that suitable controls and appropriate financial administration are in place for them to fulfil their responsibilities.

30.4.4 Where budget managers temporarily reassign some responsibilities, they themselves are still accountable to their budget reviewer and must ensure that, through supervision and management team meetings, they are monitoring the budgetary situation.

30.5 Finance

30.5.1 The Finance Team will provide information, support and advice to all budget managers, budget reviewers and other staff/managers to assist them in their financial responsibilities. Service Level Agreements with budget managers may be put in place to provide additional clarification of the role of Finance. These arrangements may take into account risk analysis of the area of budget activity and the level of expertise and support available to each budget manager.

30.5.2 The ERP Gold system is the definitive record of financial transactions, supported by systems that feed into / interface with ERP Gold, e.g. Mosaic. Any local records used for budget management purposes should be reconciled by budget managers back to ERP Gold.

30.5.3 As well as supporting services, Finance will carry out an enforcement role in ensuring that budget managers adhere to the Scheme of Financial Management and any other corporate requirements. Finance must also provide information for overall corporate reports on the annual budget, in-year budget monitoring, and the final outturn.

30.5.4 Each budget manager will have a financial adviser allocated to them to act as a first point of contact in Finance and to provide the support required for the day-to-day management of budgets.

30.5.5 Customer feedback on the effectiveness of the finance section role will be sought. Finance must ensure that the financial training and budget manager competencies are implemented.

30.6 Budget Setting

30.6.1 The budget setting process is critical to successful financial management and, in strategic terms, will flow from the corporate (including business planning), service and directorate plans, which set priorities for service changes and investment.

30.6.2 The Section 151 Officer shall issue instructions annually on the processes for preparing the Business Plan and the Annual Budget.

30.6.3 At a more detailed level, instructions for budget managers on constructing their budget will be issued by Finance at the start of each business planning process.

30.6.4 Budget managers must make every effort to ensure that budgets they set meet commitments or likely commitments to be encountered. Setting budgets at a level which is known to be unmanageable is not permitted. Budget managers who cannot contain such budgets within their overall cash limit must alert their budget reviewer at the earliest opportunity.

30.6.5 Budget managers will be notified of their final budget allocations as soon as possible after the County Council's annual budget meeting in February and by 31 March at the latest.

30.6.6 The business planning process is the prime process. In-year requests for supplementary estimates are not permitted, except in exceptional circumstances and after prior consultation with the Section 151 Officer (see financial regulations 6.4 and 8.3).

30.7 Budgetary Control

30.7.1 A service's overall budgetary position is the responsibility of the executive director, and this responsibility cascades down through service management team, budget reviewers and individual budget managers.

30.7.2 At each level, managers must ensure that budgetary targets are met and, if particular budgets are forecast to overspend, early warning should be given and remedial action taken within the immediate management group to address this situation. Only when collectively that overspend cannot be contained, should the problem be referred to the next management level. The role of the budget reviewer is crucial in this process, especially where the scope for remedial action at budget manager level is limited.

30.7.3 In order to ensure that reports are giving a correct message, it is important that budget managers pay particular attention to the way their budgets are profiled in the

accounting system and request changes to profiles if these do not accord with realistic spending patterns.

30.7.4 Finance may require additional information and explanation from budget managers and their budget reviewers where the Service Finance Monitoring Report gives cause for concern. This should include the financial impact of any remedial action taken.

30.7.5 Financial projections of likely budget positions at the end of the year should also be reported to management teams on a regular basis. These forecasts are the responsibility of the budget manager, who must ensure all forecast outturns are updated in the ERP Gold system, but the financial adviser may assist in their production and will undertake a verification of the final projection.

30.7.6 Should any remedial action be required to achieve a balanced budget, budget managers may request a virement to transfer budget between areas within their control to reflect this. All such requests should be made to the relevant finance business partner.

30.7.7 Where virement between their budget managers is required, this must comply with the authorisation rules as set out in Appendix [HG](#).

30.7.8 Where virements are processed, relevant budget managers must ensure that the forecast outturn in ERP Gold is updated to reflect the new budget position.

30.7.9 At the end of the financial year any service outturn under/overspends will be balanced to the General Fund reserve.

30.8 Capital

30.8.1 The annual capital budget / programme is approved each year in February in the context of the business planning process.

30.8.2 Every scheme in the programme will have an agreed budget and identified source of funding. All variations in the estimated cost of schemes and / or the sources of funding must be approved by a service management team.

30.8.3 For each scheme in the programme a manager will be designated as budget manager. The budget manager's responsibility is to monitor both progress and financial performance e.g. expenditure against the capital budget, and to alert their capital accountant and strategic finance manager to significant financial control problems and/or slippage in the completion of the scheme.

30.8.4 A monthly Capital Monitoring Report will be prepared and included in the Service Finance Monitoring Report, which will be presented to their respective committee in line with the Council's overall financial reporting schedule. These capital monitoring reports will also feed into the corporate Integrated Finance Monitoring Report, which is presented to Capital Programme Board and Corporate Leadership Team

monthly and the Strategy, Resources and Performance Committee in line with the Council's overall financial reporting schedule.

30.9 Authorisation of Virement Proposals

30.9.1 Revenue and capital virement authorisation limits are set out in Appendix [HC](#).

Appendix A

Statement of Financial Responsibilities

1. Chief Executive

The Chief Executive will be responsible for:

- Understanding the nature of reporting needed under Sections 151 and 114 and the delegation arrangements in place to ensure proper performance.
- Establishing an effective monitoring and reporting framework to enable them to properly hold executive directors or directors accountable for the discharge of their responsibilities.
- Positively promoting a culture of probity and sound financial discipline and control as requirements of the organisation.

2. Section 151 Officer

The Section 151 Officer has the Section 151 and 114 responsibilities.

The Section 151 Officer will be responsible for:

- Setting adequate standards, protocol and procedures for budgeting, accounting, systems, and reporting and for establishing a framework of monitoring to ensure these requirements are met.
- Positively promoting a culture of probity and sound financial discipline and control as requirements of the organisation.
- Advising officers on the issues and circumstances in which reporting is needed.
- Accepting reports from executive directors on an exception basis.
- Accepting routine reports from the Service Director of Finance and Procurement/ Deputy Section 151 Officer, Head of Finance and strategic finance managers.
- Approving any detailed schemes of local financial management.
- Approving the implementation of local financial systems.

- The maintenance of a structured scheme of financial training.
- Reporting on an exception basis to the Chief Executive.
- Capital financing determinations under the Local Government and Housing Act 1989 where these may be made by an officer.
- Determining the form of the Council's accounts and records, including determining the accounting policies used by the Council and ensuring that the annual Statement of Accounts is prepared in accordance with all relevant accounting standards.
- Signing off grant claims, where the conditions require it.

3. Monitoring Officer

The Service Director of Legal and Governance is designated as the 'Monitoring Officer' whose functions include:

- Ensuring lawfulness and fairness of decision making in consultation with the Head of Paid Service (Chief Executive) and Section 151 Officer.
- Reporting to the Council and to the executive in any case where they are of the opinion that any proposal or decision of the authority has given rise to or is likely to or would give rise to any illegality, maladministration or breach of statutory code under Sections 5 and 5A of the Local Government and Housing Act 1989; (LGHA 89)
- Advising whether decisions are within the budget and policy framework.
- Providing advice on the scope of powers and authority to take decisions, including matters of financial impropriety and probity.

4. Executive Directors (Adults, Health and Commissioning; Children, Education and Families; Place and Sustainability; Strategy and Partnerships; and Finance and Resources)

Executive directors are responsible for:

- Understanding the nature of reporting needed under Sections 151 and 114.

- Establishing an effective monitoring and reporting framework to ensure a proper awareness of significant issues.
- Reporting as required to the Chief Executive (and as appropriate to the Section 151 Officer) on any significant issue relating to their area of responsibility.
- Ensuring staff throughout their departments are aware of their responsibilities and are capable of discharging them.
- Ensuring adequate standards of internal control within their departments, and in particular, through their service management team, ensuring the proper identification of risk and the introduction of cost-effective systems of control to reduce risk to an acceptable level.
- Identifying the individual directors responsible for ensuring proper control for particular services (including corporate controls such as the register of interests).
- Positively promoting a culture of probity and sound financial discipline and control as requirements of the organisation.

5. **Service Director of Finance and Procurement, Head of Finance and Strategic Finance Managers**

The Service Director of Finance and Procurement / Deputy Section 151 Officer, Head of Finance and Strategic Finance Managers are responsible for:

- Understanding the nature of reporting needed under Sections 151 and 114.
- Obtaining the necessary information about their services to enable them to report (including receiving reports from the appropriate service finance manager and/or senior finance business partner).
- Initiating exception reports, when necessary, to the relevant executive director and to the Section 151 Officer.
- Ensuring proper awareness within their service management team of the principles of control and the requirement for the introduction of cost-effective control systems.

- Positively promoting a culture of probity and sound financial discipline and control as requirements of the organisation.
- The introduction and maintenance of variations to the Finance Management Arrangements for Services.
- Establishing a framework of monitoring to verify that control requirements are met and agreed internal audit recommendations are implemented on a timely basis.
- Deputising for the Section 151 Officer when required and have delegated authority to sign financial claims, bids, and other financial statements and reports on behalf of the Section 151 Officer.

6. Service Directors

Service directors will act for executive directors over their internal control responsibilities. This role will involve (within their areas of responsibility):

- Positively promoting a culture of probity and sound financial discipline and control as requirements of the organisation.
- Ensuring all applicable staff have seen and understand the Scheme of Financial Management.
- Ensuring proper identification of risk and the introduction of cost-effective systems of control to reduce risk to an acceptable level.
- Ensuring timely implementation of agreed internal audit recommendations.
- Establishing a robust monitoring and reporting framework to ensure control responsibilities are met.
- Initiating exception reports where necessary to the strategic finance manager and / or Head of Internal Audit.
- Reporting any potential overspending or underspending to their executive director.
- Ensuring levels of financial competence in line with the Financial Training Plan.

7. Head of Internal Audit

The Head of Internal Audit is responsible for:

- The independent audit of internal financial control systems within the authority to assess their adequacy to ensure:
 - Reliable financial and other management information and reporting;
 - Compliance with laws, regulations, policies, rules, etc.;
 - Properly safeguarded assets and interests;
 - Efficient and effective operations.
- Recommending and gaining acceptance of improvements to systems of internal control identified as necessary during the course of audit reporting to:
 - Strategic finance managers / executive directors and directors
 - Section 151 Officer
 - Audit and Accounts Committee
 - the relevant budget manager

on main control issues, improvements agreed, and improvements made.
- Initiating on an exception basis such reports that are necessary for the Section 151 Officer and / or Chief Executive.
- Positively promoting a culture of probity and sound financial discipline and control as requirements of the organisation.
- Providing advice on the nature of internal controls, the potential consequences of poor control and the control options available to reduce or limit risk.

8. Strategy, Resources and Performance Committee

The Strategy, Resources and Performance Committee delegated authority includes:

- Authority for monitoring the overall performance of the Council against the Business Plan.
- Authorising budget virement which is not covered within the limits of virement contained in the Council's financial rules, provided there is no change in the approved policy framework of the Council. Virement limits are set out in [the Constitution in Part 3D \(Scheme of Delegation to Officers\) and Part 4 \(Financial and Contract Procedure Rules\) Chapter G2 \(Scheme of Delegation to Officers\) and Chapter G5 \(Financial and Contract Procedure Rules\)](#).
- Authorising proposals which are not covered by the finance limits of the executive directors' delegated powers contained in A3 – A7, as set out in [Part 3D of the Constitution Chapter G2 \(Scheme of Delegation to Officers\)](#), provided there is no change in the Council's approved budget and policy framework.
- Deciding on the appropriate allocation of grants where these are supplied without a ringfence and exceed the virement limits set out in the Constitution in [Part 3D \(Scheme of Delegation to Officers\) and Part 4 \(Financial and Contract Procedure Rules\) Chapter G2 \(Scheme of Delegation to Officers\) and Chapter G5 \(Financial and Contract Procedure Rules\)](#).
- Deciding on the appropriate allocation of carry forwards of service underspends, including considering service committee proposals.

A full list of the Strategy, Resources and Performance Committee's delegated authority can be found in [Part 3B of the Constitution \(Responsibility for Functions\) Chapter D4 \(Strategy, Resources and Performance Committee\)](#).

Appendix B

Retention of Financial Records

It is important that records (computerised or manual) are carefully retained and systematically filed as they are required for inspection by a number of agencies such as Internal Audit, the external auditor, HMRC officials etc.

The required minimum period for the retention of financial records is: Current financial year plus the three previous financial years.

This applies to:

- Receipts,
- Till Rolls,
- Invoices,
- Copy Orders,
- Audit Trails,
- School Meals and School Funds (non-public) Records.

The advised periods for the retention of other financial records are detailed below:

Accounts etc	Period of Retention
Sales Contracts	6 years after agreement ends
Purchasing Contracts	6 years after agreement ends
Stock Inventories	7 years
Published Accounts	Permanently / Indefinitely
Taxation Returns	Permanently / Indefinitely
External Audit Reports	Permanently / Indefinitely
Cheques	6 years
Bank Statements	6 years
Cash Statements	6 years
Deeds of Covenant	12 years after final payment
Primary Salaries & Wages Records	7 years
Expense Accounts	7 years
Government Procurement Card transaction receipts	7 years
Pension Scheme Records	Permanently / Indefinitely
Business Planning Papers	3 years
Capital Working Papers and Documentation (to support the requirements of regulation 5)	6 years from completion of project
Budgetary Control Reports	3 years
Insurance	
Insurance Policies (Excluding Liability)	6 years after lapse
Liability Insurance Policies	Permanently / Indefinitely
Insurance Claims	6 years after settlement
Insurance Schedules	10 years

Appendix C

**The Service Reporting Code of Practice (SERCOP) –
Definition of Activities to be Treated as Trading Accounts**

The 2022/23 version of the SERCOP issued by CIPFA defines the five main types of trading operation that may be run by local authorities as:

1. Trading services or undertakings with the public or with other third parties. These include, amongst others, catering undertakings, markets, trade refuse collection and industrial units.
2. External trading organisations (ExTOs), which have won contracts from other public bodies, for example under the Local Authorities (Goods and Services) Act 1970.
3. Work carried out by internal trading organisations (InTOs) arising from voluntary competitive tendering (VCT) exercises.
4. Support services provided in a free internal market, i.e. to schools or to other budget holders who have been given freedom to buy externally if they wish.
5. Support services provided in a limited internal market, e.g. where budget holders are free to decide the quantity and type of work to be done on the basis of the prices quoted to them, but not to buy externally.

(Service Reporting Code of Practice 2022/23, Section 2.30 – Trading Accounts and Trading Operation, p.33)

Appendix D

Trading Budgets and External Trading

1. Purpose

- 1.1 To offer guidance to trading unit managers as to the considerations that should be brought into account in seeking to undertake work for other organisations.

2. Advice to Trading Unit Managers

- 2.1 There are four aspects to this area:

- (i) Legal considerations;
- (ii) Prudential considerations;
- (iii) Business considerations;
- (iv) Other considerations.

2.2 Legal

The Local Government Act 2000 gives local authorities a general power to do anything which they consider likely to achieve the promotion or improvement of the economic, social and/or environmental wellbeing of their area. The power cannot be exercised in a way which is otherwise prohibited and the manner in which it is to be exercised needs to be reflected in the Council's Community Strategy.

In addition, the duty on local authorities in the Local Government Act 1999 to secure best value requires Councils to make arrangements to secure continuous improvements in the way in which functions are exercised having regard to a combination of economy, efficiency and effectiveness.

It is open for local authorities to develop trading activities within the framework of the above legislation but proposed commercial activity would need to be linked to both the general power of wellbeing and the best value requirement. It would be prudent to expressly identify proposed trading activity for a purpose or for a body, which is not another local authority or public body, within the meaning of the following paragraphs within the Community Strategy.

In addition to the above general powers and duties, local authorities still have the ability to put in tenders or bid for work for external clients who fall within the context of other legislation which includes primarily the Local Authorities (Goods and Services) Act 1970 (Public bodies); the Local Government Act 1972 (other local authorities) and certain particular powers in other legislation.

The purposes in the Local Authorities (Goods and Services) Act 1970 (Public bodies) are:

- The supply of any goods or materials, including the purchase and storage of any goods or materials;
- The provision of any administrative, professional or technical services;
- The use by the public body of any vehicle, plant or apparatus and the placing at their disposal the services of any persons employed in connection with the vehicle etc.;
- The carrying out of works of maintenance (not construction) in connection with land or buildings.

2.3 Prudential Considerations

It is important that arrangements should not be entered into which expose the County Council, and its taxpayers, to financial risk. This means that trading unit managers must:

- (i) Consider the existence and availability of suitably skilled staff.
- (ii) Ensure the adequacy of the preparation of charges for external work and the management information and control systems. Costings should be sufficiently wide to cover set-up costs, cash-flow and provision for termination costs (e.g. potential redundancies).
- (iii) Ensure that external work is not disproportionately large compared to service provided within the authority.
- (iv) Not bid for work / tenders that would involve taking on substantial extra staff to handle the contract.
- (v) Where a contract is potentially short-lived, but may require some additional staff, they should ensure that these staff are appointed on fixed-term contracts.

- (vi) Ensure that they consult with the Head of Insurance on appropriate professional indemnity insurance prior to bidding for work.
- (vii) Ensure that the purpose of the arrangements is not to maintain employment.
- (viii) Ensure that the contract business generates at least a marginal surplus.

2.4 Business Consideration

Before undertaking such work, trading unit managers should actively include proposals within its annual business plan for the service. Consideration in a business planning context would encompass:

- (i) Does provision further the objectives of the trading unit
- (ii) The managerial capability to handle the work, including the need to ensure that undertaking the work does not overstretch the unit, or compromise service provision to internal customers.

2.5 Other Considerations / Questions

- (i) Is the external work carried out for a County Council Partner? Does it help to meet mutual objectives? Is the partner from the public (police/another authority) private or voluntary sector?
- (ii) What are the trading arrangements (e.g. annual agreement, spot bought, by project tender). Therefore, how long is the external client likely to need the service, and what is the relative security of income?
- (iii) What are the risks associated with the contract conditions that apply? Do they offer flexibility to the unit or do they place a commitment on them that, if unfulfilled, would leave the County Council liable in law to fund the work carried out by another organisation?
- (iv) What are the “market conditions” that apply to the work? Will pricing in any tender need to be very competitive? Will this significantly increase the risk of returning a loss? Would the trading unit therefore charge external clients less than it would an internal client?
- (v) What are the benefits (skills/experience) of working for external customers? Will these help the trading unit in its work for the County Council?
- (vi) What is the scale of the operation of the unit and the present or projected volume and proportion of external work? What are the

trends? If trading losses were incurred how large could they be in financial and political terms? What is the “worst case” scenario?

- (vii) What is the “critical mass” of the unit? By reducing or removing external work would the critical mass be threatened, thereby increasing unit costs and making the unit less viable? Is there a critical mass in terms of skills and abilities?
 - (viii) Does external work / customers allow the Council to make better use of facilities - perhaps benefiting the wider community?
3. The above factors are only pointers to the legality, prudence and business sense of an arrangement. It is a matter of striking a balance. Beyond ensuring that the proposals are within legal powers, one adverse factor, alone, may not be a reason not to proceed.
 4. Selling services to the private sector would generally be outside the Council's powers and any proposal in that direction must be agreed in advance with the Head of Internal Audit and the Section 151 Officer. Very exceptionally, a private sector contract may be permissible if, within existing resources, there is a temporary surplus capacity and the Council could use that capacity to establish that the contract is incidental to the exercise of the Council's proper functions, and therefore lawful. But such circumstances occur only at the margin and infrequently.
 5. The above guidance is simply that, guidance. The essential points, beyond acting within the law, are to act prudentially and consistently within the aims of the trading unit. By its nature this guidance is general and specific circumstances vary. Before proceeding with any proposals, trading unit managers should first consult with the Head of Internal Audit and the Section 151 Officer.

Appendix E

Trading Budgets' Direct and Other Charges

Direct Charges for Trading Units	Method of Recharge for Trading Units	Comments
Accommodation	Direct charge in relation to the amount of accommodation occupied	Charge based on a standard cost per square metre
Building Maintenance (Revenue)	Direct charge (where this is not a County Office)	County offices come under County Offices Recharge
Payroll	Direct charge	
Debt & Income	Direct charge - per transaction	Pay As You Use – regular service. Charged by Debt & Income
Accounts Payable	Direct charge - per transaction	Pay As You Use – regular service. Charged by Accounts Payable
HR – Recruitment	Direct charge - for costs of any recruitment	Pay As You Use – irregular service. Charged by HR
HR – Training	Direct charge - for costs of any training course	Pay As You use – irregular service. Charged by HR
Insurance	Direct charge of providing cover	

Appendix F Inventory Instructions

1. Purpose

- 1.1 To provide instructions on how inventories must be maintained.
- 1.2 Internal Audit must be consulted prior to computerising the inventory.

2. Inventory Records

- 2.1 The inventory must include individual items of value exceeding £500. However, it is recommended that items of lesser value should be included if they are attractive and portable. Furniture need not be included unless it is considered unique or particularly valuable.
- 2.2 Serial numbers of equipment must be noted as this information may be very useful to the police if items are stolen. Security marking should be used to record the name of the establishment and its postcode. (Items on loan from other establishments etc. should not be marked).
- 2.3 Budget managers must ensure that the register is kept up to date. Systems therefore should ensure that the person responsible for the inventory is kept fully informed of purchases, loans, write-offs etc.
- 2.4 Proper procedures must be established for loans of equipment, including authorisation policy, specification of finite periods of loan and written acknowledgement of loan. Loans out and items borrowed must be recorded in the sections provided at the back of the inventory book.
- 2.5 The budget manager must sign the inventory book to authorise write-offs, transfers and sales.
- 2.6 Budgets managers must ensure that inventories are checked at least annually. The existence of items loaned out, and those held on loan should also be checked. The annual check should be undertaken by someone other than the person responsible for the equipment on the inventory. The check must be documented as specified in the inventory book.
- 2.7 Where the budget manager is responsible for several establishments or services, each with their own inventory, a master list of inventories held should be maintained.
- 2.8 Surplus, obsolete or unserviceable equipment must first be offered to other establishments or departments. If it is not required by other parts of the

Council, it should be sold at the best price available, in accordance with the County Council's Contract Procedure Rules. Where computers are to be disposed of, IT advice must be sought in view of the implications for software licences and data security. The agreed price must be paid before removal of the item.

- 2.9 A copy of the inventory must also be kept off-site.

Appendix G
CAMBRIDGESHIRE COUNTY COUNCIL**STOCK CERTIFICATE****Commented [NM3]:** Template removed from constitution and available from the intranet or democratic services

Stock Description _____

Held at _____

I CERTIFY that to the best of my knowledge and belief that:

- (1) The total value of stock in hand as at 31 March 20____ is £____ and individual quantities and value of commodities included in the total are correct. The values have been calculated at the lower of cost and realisable value (see note below).
- (2) The commodities shown in the stores records have been the subject of a periodical test examination of stores in hand and all stores have been checked at least once during the year in accordance with Financial Regulation 24.7.
- (3) Any surpluses or discrepancies revealed by a periodical test examination or otherwise have been investigated and dealt with in accordance with Financial Regulations 24.11

Signed _____ Service _____

Position _____ Date _____

TO BE RETURNED TO: _____ The Appropriate Finance Unit
_____ at New Shire Hall**Note**

Stocks should be valued at cost price unless they are obsolete or have been subject to a price decrease after their purchase. In the former case, the best estimate of market value should be used. In the latter case, the correct basis is price at 31 March.

Please also complete a Stock Template (see the Closedown intranet page).

Appendix [HG](#)

Authorisation of Virement Proposal

Vire revenue budget from budget manager to:

Revenue		Over £175,000	£50,001 to £175,000	£10,000 to £50,000	Less than £10,000
1	Same Budget Manager	Strategy, Resources and Performance Committee	Section 151 Officer and Executive Director (Adults, Health and Commissioning; Children, Education and Families; Place and Sustainability; Strategy and Partnerships; and Finance and Resources)	Strategic Finance Manager and Head of Service	Budget Manager
2	Another Budget Manager in same Division	Strategy, Resources and Performance Committee	Section 151 Officer and Executive Director (Adults, Health and Commissioning; Children, Education and Families; Place and Sustainability; Strategy and Partnerships; and Finance and Resources)	Strategic Finance Manager and Head of Service	Both Budget Managers
3	Another Budget Manager in another Division	Strategy, Resources and Performance Committee	Section 151 Officer and Executive Director (Adults, Health and Commissioning; Children, Education and Families; Place and Sustainability; Strategy and Partnerships; and Finance and Resources)	Strategic Finance Manager and Head of Service	Both Budget Reviewers

- Note:
- (1) The Strategy, Resources and Performance Committee approves virements over £175,000 between main budget headings defined as the objective analysis of expenditure incorporated in the published budget report for each service block.
 - (2) Virements from one off underspends to meet ongoing commitments will not normally be authorised.

Vire Capital Budget from budget manager to:

Capital		Over £250,000	£50,001 to £250,000	£10,000 to £50,000	Less than £10,000
1	Same Budget Manager	Strategy, Resources and Performance Committee	Section 151 Officer and Executive Director (Adults, Health and Commissioning; Children, Education and Families; Place and Sustainability; Strategy and Partnerships; and Finance and Resources)	Strategic Finance Manager and Head of Service	Budget Manager
2	Another Budget Manager in same Division	Strategy, Resources and Performance Committee	Section 151 Officer and Executive Director (Adults, Health and Commissioning; Children, Education and Families; Place and Sustainability; Strategy and Partnerships; and Finance and Resources)	Strategic Finance Manager and Head of Service	Both Budget Managers
3	Another Budget Manager in another Division	Strategy, Resources and Performance Committee	Section 151 Officer and Executive Director (Adults, Health and Commissioning; Children, Education and Families; Place and Sustainability; Strategy and Partnerships; and Finance and Resources)	Strategic Finance Manager and Head of Service	Both Budget Reviewers

Appendix [H](#)

Scheme for Approving Care Package Expenditure in Mosaic

Care expenditure is paid by ERP Gold mostly through an interface with Mosaic, the social care system. Expenditure on care is driven by the needs of a person assessed by social work staff through a quality assured assessment process, with care then commissioned in the most cost-effective way to meet the person's assessed needs.

Budget managers have oversight of the processes and supervision of staff involved, and so authorisation is deemed to be given to incur expenditure if the standard Mosaic processes are followed. Care must be provided in line with assessed needs, and so in most cases the need for a separate control around authorisation levels at varying degrees of seniority is not required. Residential packages are not agreed unless confirmed by a panel of officers and within the process for assessing need there is always review by another appropriately experienced or qualified professional. As a result of the process, no single officer will authorise care package spending without the involvement and oversight of another. The final formal authorisation of payments in these cases will be in line with standard Mosaic processes and will sit with a manager in the Adults Social Care Finance Operations Team, who verifies that the care package has been loaded correctly in the system and that it is in line with the assessment. The activity of authorising managers within this team will be periodically reviewed to ensure expenditure is appropriate, and decisions around the cost of higher-cost packages of care will be agreed by practice panels between commissioning and operational managers.

Where expenditure is directly through ERP Gold rather than the Mosaic interface, the standard processes for ERP Gold will be followed.

Appendix J

Commented [NM4]: Template removed from constitution and available from the intranet or democratic services

Reference:			
Officer contact name:		Date:	
Directorate:		Service:	
Title of charge:			
Additional information, reason for change/introduction:			
Current charge:		New charge:	
Implementation date:		Payment method:	
Statutory/Non-Statutory			
VAT Rating	For VAT advice contact TAX@cambridgeshire.gov.uk		

Executive Director / Director approval: (If approval is given please sign below)	
Executive Director / Director comments:	

FEES & CHARGING REQUEST TEMPLATE

This form should be completed for new charges and changes to existing charges.
Please complete all boxes up to the dashed line

SIGNED: _____ DATE: _____

| Appendix [K1](#)

Contact

In case of any query on financial regulations, questions can be directed to the Section 151 Officer at finance@cambridgeshire.gov.uk.

Appendix [LJ](#)
References

Area
Contract Procedure Rules
Council's Constitution
Scheme of Delegation
Scheme of Operation
Article 11 - Officers
Financial and Contract Rules
VAT Basics Guide
Anti-Money Laundering Policy
Human Resources Policies
Consultants Policy
Agency Workers and Interims Policy
Recruitment
Whistleblowing
Information Management Security
Anti-Fraud and Corruption Policy
GPC User Guide
Budget Manager Information Pack

Contract Procedure Rules

Commented [A1]: Entire chapter moved to G7, subject to the following tracked changes

1.0 Introduction

- 1.1 These Contract Procedure Rules (Rules) clearly set out the rules that apply to all officers involved in procurement for and on behalf of the Council. The Rules must be read in conjunction with any other relevant laws, regulations, policies and/or procedures including [the Council's Financial Procedure Rules](#), [the Officer Scheme of Delegation Chapter G6 \(Scheme of Financial Management\)](#), [Chapter G2 \(Scheme of Delegation to Officers\)](#), English law, the Procurement Guide and the Provider Selection Regime (PSR) Guide.
- 1.2 Officers involved in procurement activities and making procurement decisions must be fully aware and comply with the Rules as they form part of the Council's Constitution.
- 1.3 All procurements must realise value for money through the optimum combination of whole life costs and quality of outcome.
- 1.4 The Rules seek to protect the Council's reputation by minimising the risk of allegations of corruption, dishonesty and failure to meet legal obligations. As these rules are required by law, failure to comply with them could lead to disciplinary action. If in doubt and/or if advice on compliance with legislative requirements is required, this may be obtained from Pathfinder Legal Services and the Procurement and Commercial Team.
- 1.5 The Procurement Guide and the PSR Guide are invaluable sources of operational guidance to support any procurement activity and the correct application of these rules. The Guides can be found on the intranet's procurement page.
- 1.6 Should a conflict be found between these rules, the law and the Procurement/PSR Guides, the order of precedence shall be the law, the Rules and then the Procurement/PSR Guides.
- 1.7 All procurement activities must be carried out in a fair, open, transparent, proportionate and non-discriminatory manner. The Council reserves the right to consider the application of intervening government guidance when making decisions about the application of these rules.
- 1.8 The Rules apply to contracts or agreements with external organisations where the Council pays for:
 - Goods and/or services
 - Works of any kind
 - Hire, rental or lease of equipment, material and/or plant.
- 1.9 The Rules do not apply in the following circumstances:
 - 1.9.1 The purchase or lease of property, land acquisition, interest in land, transaction in land or disposal. This does not extend to any goods, services or works contracts

that may be required to make the land and/or existing buildings ready for acquisition, disposal or leasing.

- 1.9.2 Broadcasting time or programme provision that are awarded to audiovisual or radio media service providers.
- 1.9.3 Arbitration or conciliation services.
- 1.9.4 For any of the following legal services:
- 1.9.4.1 Legal representation of a client by a lawyer in an arbitration or conciliation or judicial proceedings before courts, tribunals or public authorities.
 - 1.9.4.2 Legal advice given in preparation for any of the proceedings referred to in 1.9.4.1 or where there is tangible indication and high probability that the matter to which the advice relates will become the subject of such proceedings, provided that the advice is given by a lawyer.
 - 1.9.4.3 document certification and authentication services which must be provided by notaries.
 - 1.9.4.4 legal services provided by trustees or appointed guardians or other legal services the providers of which are designated by a court or tribunal or are designated by law to carry out specific tasks under the supervision of such tribunals or courts.
- 1.9.5 For financial services in connection with the issue, sale, purchase or transfer of securities or other financial instruments or central bank services.
- 1.9.6 For expenditure incurred directly as a result of an insurer led arrangement.
- 1.9.7 Direct employment of permanent or fixed term employees or of interim or agency staff. For the avoidance of doubt, the Rules do apply to consultancy and employment agency contracts and in those circumstances the responsible officer must have regard to the Council's Policies Relating to the Appointment of External Consultants and Interims.
- 1.9.8 The lending or borrowing of money by the Council.
- 1.9.9 Goods, services or works purchased through the ESPO General Catalogue up to a value of £10,000 per transaction and as long as the responsible officer is satisfied that the Catalogue offers value for money. This does not include other ESPO provisions, such as frameworks, for which these CPRs do still apply.
- 1.9.10 When commissioning goods, services or works through collaborative joint procurements, where one of the other contracting authorities is acting as procurement lead, the responsible officer must satisfy themselves that the procurement complies with all relevant applicable laws.
- 1.9.11 Any award of grants of money but these must be in accordance with the Constitution and the Council's Grants to External Organisations Policy. Prior advice should be sought from the Pathfinder Legal Services in relation to the governance process for the award of grants and the legal documentation that must be used.

Unless the terms of the grant stipulate otherwise, value for money and the Rules should be followed in the award of grants.

- 1.9.12 Membership/Subscriptions (not applicable to software licensing): where the Council makes an arrangement to receive goods or services regularly by paying in advance and competition is absent for technical reasons.
- 1.10 The Monitoring Officer in consultation with the Head of Procurement and Commercial shall have the power to make incidental amendments from time to time to the Rules, for example when updates are required from changes to legislation, changes to job titles and roles.
- 1.11 Members have a key role to play in providing oversight to the Rules set out below, making key decisions on major projects, considering risks and ensuring that the Council takes best advantage of the public procurement rules. Full details on the role that Members play in procurement activity can be found in the LGA's A Councillor's Guide to Procurement, 2019 edition (local.gov.uk).

2 Exceptions to the Rules

- 2.1 The Rules apply to every procurement carried out by, or on behalf of, the Council except for those listed below in section 2.7.
- 2.2 Exceptions will only be valid if the Council's online waiver system is used, and appropriate approval has been sought and gained prior to the contract start date. Retrospective exceptions (waivers) are only permitted where:
- It has been necessary to act urgently because of an unforeseen emergency which involves immediate risk of injury or damage or to prevent serious disruption to services.
 - It is necessary for the responsible officer in either adults or children's social care to act immediately to secure care for a vulnerable person.
- 2.3 Exception requests (waivers) cannot be sought for requirements equal to or above the Council's key decision threshold, nor can they be granted if the contract value is over the relevant UK procurement threshold. Should a waiver valued over the relevant UK procurement threshold be considered, legal advice must be sought as to the applicability of Regulation 32 of the Public Contract Regulations (2015) which in certain circumstances will include urgent requirements. Committee approval will be required for these above threshold exceptions.
- 2.4 In instances where a repeat exception is requested, the value of the requested exception must be added to the value of any previous exceptions and the appropriate rule/regulation applied.
- 2.5 Where the total value of the ensuing contract exceeds £5,000, it must be added to the Council's Contract Register to ensure compliance with Local Government Transparency Code 2015.

- 2.6 An award notice is required to be published for all contracts valued over £25,000.
- 2.7 Valid exceptions are:
- 2.7.1 Genuine emergencies: critical preventative or remedial work where there is a real and imminent risk to the life and/or safety of people or property arising from hitherto unforeseen 'catastrophic' events or incidents, for example fire, flood or pandemic.
- 2.7.2 Value for Money: for proprietary or patented goods or services; or where the requirement is of such a specialist nature that it can genuinely only be fulfilled by one person or organisation; or the compatibility with existing goods or services is required and/or where those existing goods or services can only be sourced from the same supplier.
- 2.7.3 Urgent Situations not of the Council's Own Making: the urgency must have been reasonably unforeseeable (e.g. an existing supplier going out of business) and genuinely be a case of time is of the essence. Urgency arising from the Council's own making (e.g. lack of planning) shall not justify an exception. Where this exception is used, a compliant procurement process must be implemented as soon as possible.
- 2.7.4 Process delays: where an existing contract is being re-procured and there are delays to that procurement process which means that the new contract cannot start as the existing contract ends, an exception may be requested to extend the current contract to cover the gap between the two contracts. The delays must have been reasonably unforeseeable (e.g. extensions required to standstill), and the exception may be for no longer than six (6) months).
- 2.7.5 Grant allocations: where the Council has been allocated a grant and there has been no time to procure a supplier during the grant application process or because the grant conditions require spend of the grant in too short a time period. Evidence of the grant application process and the grant conditions will be required in the exception application. If spend of the grant is not required within a 12-month period, this exception may not be used.
- 2.8 In the case of a breach to these Rules, the Responsible Officer must make an immediate report to the Monitoring Officer and S151 officer detailing the breach and any management action taken to address the issues arising from the breach. Internal Audit will maintain a record of all such breaches which will be reported to the Constitution and Ethics Committee by the Monitoring Officer annually.
- 3 Exceptions for Care Placements
- 3.1 Adult social care placements and placements made for children in care or children and young people with an Education, Health and Care Plan (EHCP) are not subject to the Rules but are subject to the requirements set out below. Please note that where the placement's main subject matter is health care, compliance with the PSR is required, refer to Section 4.

- 3.2 Tier 1 Block Contracts: when a supplier is procured with guaranteed service levels and pre-agreed prices, the Council may refer users to over the contract period. The Rules apply to the procurement of block contracts and responsible officers must endeavour to maximise the use of block contracts.
- 3.3 Tier 2 Dynamic Purchasing System (DPS)/Framework Agreements: procured lists of providers with fixed or average rates to which the Council may refer users over the contract period. The Rules apply to the procurement of all DPSs and framework agreements which must be utilised only when the block contracts are unable to meet the required needs.
- 3.4 Tier 3 Spot purchased placements: non procured providers which can only be used when the required needs cannot be met by either a Tier 1 or Tier 2 provider. The relevant budget holder, or commissioning head of service, may award spot contracts if the following criteria are satisfied:
- The requirement is such that only one provider in a reasonable proximity can meet the individual's needs;
 - The requirement is both complex and unique to the individual;
 - There is no accessible Tier 1 or Tier 2 contract available for the individual; and
 - The requirement has been approved in writing by the head of service.

All spot purchased contracts must be recorded on the Council's Contract Register ensuring that data protection requirements are met and confidentiality is maintained.

4 The Provider Selection Regime

- 4.1 The Provider Selection Regime (PSR) applies to the procurement of health care services as defined in Section 275 (1) of the National Health Service Act (2006). For a more detailed definition, please refer to the PSR Guidance document. For the avoidance of doubt, mixed procurements:
- where health care services are the main subject matter of the contract and the Council is of the view that the other goods and services could not reasonably be supplied under a separate contract; and
 - The estimate lifetime value of the health care services is higher than the value of the other components of the contract.
- are in scope of the PSR.
- 4.2 When procuring health care services, sections 8 to 13 of the Contract Procedure Rules do not apply. For the avoidance of doubt, there is no threshold for the PSR, it applies to contracts of all values.
- 4.3 The PSR provides for five decision making processes which are summarised below, Responsible Officers should refer to the PSR Guide when making a decision about which process to follow.

- 4.4 Direct award process A must be used when all the following apply:
- There is an existing provider of the health care services to which the proposed contracting arrangements relate; and
 - The responsible officer is satisfied that the health care services to which the proposed contracting arrangements relate are capable of being provided only by the existing provider (or group of providers) due to the nature of the health care services.

This process must not be used to conclude a framework agreement.

- 4.5 Direct award process B must be used when all the following apply:
- The proposed contracting arrangements relate to health care services in respect of which a patient is offered a choice of provider; and
 - The number of providers is not restricted by the Council; and
 - The Council will offer contracts to all providers to whom an award can be made because they meet all the requirements in relation to the provision of the health care services to the patients; and
 - The Council has arrangements in place to enable providers to express an interest in providing the health care services.

This process must not be used to conclude a framework agreement.

- 4.6 Direct award process C may be used when all the following apply:
- The Council is not required to use direct award processes A or B; and
 - The term of the existing contract is due to expire and the Council proposes a new contract to replace that existing contract at the end of its term; and
 - The proposed contracting arrangements are not changing considerably; and the Council is of the view that the existing provider (or group of providers) is satisfying the existing contract and will likely satisfy the proposed contract to a sufficient standard.

This process must not be used to conclude a framework agreement.

- 4.7 The most suitable provider process may be used when all the following apply:
- The Council is not required to use direct award processes A or B; and
 - The Council cannot or does not wish to use direct award process C; and
 - The Council is of the view, taking into account likely providers and all relevant information available at the time, that it is likely to be able to identify the most suitable provider without running a competitive process.

The most suitable provider process must not be used to conclude a framework agreement.

- 4.8 The competitive process must be used when all the following apply:
- The Council is not required to follow direct award processes A or B; and
 - The Council cannot or does not wish to follow direct award process C and cannot or does not wish to follow the most suitable provider process.

This process must be used if the Council wishes to conclude a framework agreement.

- 4.9 When direct award process C, the most suitable provider process or the competitive process are used, the following key criteria must all be used to evaluate the options:

- Quality and innovation
- Value
- Integration, collaboration and service sustainability
- Improving access, reducing health inequalities and facilitating patient choice
- Social value

- 4.10 When following direct award process C, the most suitable provider process or the competitive process, a standstill period of eight (8) working days must be observed. If a representation is received during the standstill period, the Council will undertake an internal review in compliance with the PSR to determine the merits of the representation.
- 4.11 Responsible officers must keep clear records detailing their decision making processes and rationale. This must be done for all processes. Decision Record Templates are available in the PSR Guide and must be used in all cases.
- 4.12 The Council must monitor its compliance with the PSR and publish a monitoring report annually.
- 4.13 Modifications to existing contracts must comply with the PSR. Modifications which make an existing contract or framework agreement materially different in character are not permitted under the PSR and would require a new PSR process to be undertaken. Further information on contract modifications is available in the PSR Guide.
- 4.14 The PSR does not apply where the council is delegating its functions to an NHS body under a section 75 agreement. Where the council is collaborating with an NHS body under a section 75 agreement and then jointly commissioning services, these services must be arranged using the PSR.
- 4.15 In urgent situations, the Council may make the following decisions without following the steps normally required under PSR:
- Re-award contracts to existing providers
 - Award contracts for new services
 - Award contracts for considerably changed services
 - Make contract modifications.
- However, in making these decisions, the following rules apply:
- The length of the contract must be set for only as long as is strictly necessary to address the urgent situation and a full award process must be conducted as soon as possible. If the term of the contract is longer than 12 months, a record must be made justifying the position.
 - Records must be kept of the justifications for the urgency decision made.
 - An Urgent Award or an Urgent Modification Notice must be published within 30 days.

5 The Role of the Responsible Officer

- 5.1 The responsible officer will be the officer named in the Procurement Plan or by the director responsible for the budget or, in the absence of the above, the officer

responsible for the budget that the expenditure is being made against subject to the delegated authority being adequate.

5.2 Responsible officers:

- 5.2.1 Are individually responsible for ensuring that they fully understand and comply with all aspects of the Rules, failure to do so may result in disciplinary action.
 - 5.2.2 Must check whether a suitable corporate contract or other publicly available contract/framework agreement is available before seeking to procure another contract. Where such a contract does exist, its use should be considered.
 - 5.2.3 Must ensure that they have the correct authorisation to procure and award the contract before proceeding.
 - 5.2.4 Add any contract valued at or over £5,000 to the Council's Contract Register to ensure compliance with the Local Government Transparency Code 2015.
 - 5.2.5 Must ensure that the contracts for which they are responsible are effectively managed and monitored to ensure they deliver the requirement as intended and to address any performance issues as soon as possible.
 - 5.2.6 Must keep a record of all decisions made in connection with the procurement, records should also include minutes from any meetings held.
 - 5.2.7 Must consider whether the procurement constitutes a key decision. If it does then the responsible officer must seek approval from the relevant committee before commencing the procurement. If the responsible officer is unsure, advice on what constitutes a key decision should be sought from Democratic Services.
 - 5.2.8 Must ensure that a PDF copy of the signed contract is forwarded to the Procurement and Commercial Team for all contracts valued over £100,000.
- 5.3 Supporting information about the role of the responsible officer can be found in the Procurement Guide.

6 Chief Officer Responsibilities

- 6.1 Chief officers must ensure that they and their officers comply with these Rules at all times.
- 6.2 Chief officers must ensure that value for money is achieved in all procurements.

7 Prevention of Corruption/Declaration of Interests

- 7.1 Where an officer has a potential conflict of interest in a procurement, the officer must declare this immediately to the relevant director. The officer may be required to withdraw from the procurement process. Any officer who fails to declare such a conflict of interest may be subject to disciplinary proceedings and risks being prosecuted under the Bribery Act 2010.

- 7.2 Officers involved in procurement activity must comply with the Council's Code of Conduct and must not offer, promise or give any gift or reward in respect of the award or performance of any contract, unless the contract is financially constructed in such a way to pay the supplier payment by results.
- 7.3 Members involved in procurement activity will at all times act in a manner consistent with [their Code of Conduct Chapter F2 \(Members' Code of Conduct\)](#).
- 8 Income Generation/Concession Contracts
- 8.1 The responsible officer must seek legal, financial and procurement advice for any contracts which will generate income for the Council, including to determine if the Concession Contract Regulations (2016) apply.
- 9 Procuring via a Framework Agreement or Dynamic Purchasing System (DPS)
- 9.1 The responsible officer must ensure that there is no corporate contract / framework agreement / DPS available before undertaking an alternative procurement process.
- 9.2 A contract of any value can be procured via a framework agreement or DPS. Compliance with the Rules and relevant national law is achieved through compliance with the framework agreement/DPS terms and conditions. If the proposed call off is valued over £100,000, the Procurement and Commercial must be consulted before the procurement is started.
- 9.3 For the avoidance of doubt, a framework agreement or DPS is considered a compliant procurement route where:
- 9.3.1 It has been entered into by the Council in compliance with the Rules;
- Or
- 9.3.2 Another contracting authority, purchasing consortium or central government has tendered the framework agreement or DPS in compliance with national procurement law and the Council is named as a potential user of the arrangement.
- 9.4 Most framework agreements are available via mini competition or direct award, the responsible officer should always seek to use a competitive process where one is available. Where a direct award is being considered, approval must first be sought from the Procurement and Commercial Team.
- 9.5 The responsible officer shall carry out due diligence checks at contract award and for the duration of the contract. These checks shall include evidence of fulfilment of any selection criteria and that there are no grounds for exclusion.
- 9.6 Approval for award of a contract must be sought in compliance with the Delegated Authorities Matrix at Appendix 2.

- 9.7 The contract must be signed or sealed in accordance with the Delegated Authorities Matrix at Appendix 2. If the contract is valued over £100,000 a signed PDF copy must be sent to the Procurement and Commercial Team.
- 9.8 Where the call-off contract is valued over £25,000 an award notice is required to be published on Contracts Finder.
- 9.9 Where the Council is using an external framework agreement/DPS and the total value of the contract is £5,000 or over, the responsible officer must add the Contract to the Council's Contract Register to ensure compliance with the Local Government Transparency Code 2015.
- 10 Procurements up to £5,000 in Total Value
- 10.1 Whilst obtaining value for money remains the primary objective, multiple quotations are not essential.
- 10.2 The responsible officer must first ensure that there is no corporate contract, framework agreement or DPS before procuring goods, services or works.
- 10.3 The responsible officer must raise a purchase order. The terms of the purchase order should suffice for a contract, unless the officer believes the complexity of the purchase requires more bespoke terms from Pathfinder Legal Services. The purchase order must specify clearly what the officer requires from the supplier.
- 11 Procurements valued over £5,000 but below £25,000
- 11.1 The responsible officer must not seek to procure any goods, services or works if the requirement can be satisfied using an existing corporate contract, framework agreement or DPS.
- 11.2 The responsible officer must seek a minimum of three comparable written quotations. Wherever possible at least two quotations must be from a local provider.
- 11.3 The written quotations must include the following information as a minimum:
- Details of the goods, services or works to be supplied;
 - Where and when the supply is to take place;
 - The total value of the contract; and
 - The terms and conditions to apply to the procurement including price and payment terms.
- 11.4 Quotations may be submitted by letter, email or via the Council's e procurement system.
- 11.5 The contract award must be approved in accordance with the Delegated Authorities Matrix at Appendix 2.
- 11.6 A purchase order must be raised, the terms of the purchase order should suffice for a contract unless the responsible officer believes the complexity of the purchase

requires more bespoke terms from the Pathfinder Legal Services. The purchase order should include the information provided by the winning supplier as detailed in section 10.3 above.

- 11.7 The responsible officer must add the contract to the Council's Contract Register to ensure compliance with Local Government Transparency Code 2015.

12 Procurements valued between £25,000 and £100,000

- 12.1 The responsible officer must not seek to procure any goods, services or works if the requirement can be satisfied using an existing corporate contract, framework agreement or DPS.
- 12.2 The responsible officer must obtain a minimum of three written quotations and whenever possible, at least two of those quotations must be from a local supplier.
- 12.3 The responsible officer must use the formal Request for Quotation documents available on the procurement pages of the intranet unless otherwise agreed with the Procurement and Commercial Team.
- 12.4 The inclusion of social value criteria in the evaluation methodology should be considered in discussion with the Procurement and Commercial Team if necessary.
- 12.5 An advert and award notice must be placed on Contracts Finder by the responsible officer, usually via the Council's e-procurement system.
- 12.6 The evaluation criteria must be established before the advert is published and those same criteria must be used when evaluating the quotations received.
- 12.7 The responsible officer must raise a purchase order and ensure that the Council's standard terms and conditions (located on the procurement pages of the Intranet) are used unless the responsible officer believes that the complexity of the procurement requires the amendment of those terms by Pathfinder Legal Services.
- 12.8 All bidders must be notified of the award decision simultaneously in writing by the responsible officer either via email or the Council's e-procurement system.
- 12.9 If an unsuccessful bidder makes a written request to the Council for a further debrief in relation to the award decision, the responsible officer must provide appropriate information within fifteen calendar days of receipt of the written request. The confidentiality of the quotations received, and the identity of other bidders must be preserved at all times and information about one bidder's response must not be disclosed to another bidder. Under no circumstances should the responsible officer provide a verbal debriefing to any bidder.
- 12.10 The responsible officer must add the contract to the Council's Contract Register to ensure compliance with Local Government Transparency Code 2015.

12.11 Relevant documentation from the procurement process, particularly the quotations received, evaluation process and the signed contract must be retained by the service so that it can be made available for audit purposes.

13 Procurements valued over £100,000

13.1 The responsible officer must not seek to procure any goods, services or works if the requirement can be satisfied using an existing corporate contract, framework agreement or DPS.

13.2 The responsible officer must consult with the Procurement and Commercial Team and Pathfinder Legal Services before commencing the procurement.

13.3 A Procurement Plan will be developed by the responsible officer and the Procurement and Commercial Team and will be used to ensure that proper authority is granted for the procurement process and if relevant contract award.

13.4 The inclusion of social value criteria in the evaluation methodology should be considered in discussion with the Procurement and Commercial Team.

13.5 For procurements valued below the relevant UK procurement threshold, an open tender process will be followed. For procurements valued over the relevant UK Procurement Threshold, the Procurement and Commercial Team will provide advice as to the most appropriate process.

13.6 The responsible officer will work with the Procurement and Commercial Team to develop all relevant procurement documents and these must include full details of the tender evaluation criteria.

13.7 An advert must be placed on Contracts Finder and if the procurement is valued over the relevant UK procurement threshold on Find a Tender Service. These adverts must be placed via the Council's e-procurement system.

13.8 The procurement process must be managed electronically via the Council's e-procurement system.

13.9 Tenders must be evaluated according to the advertised evaluation criteria. Clarification questions may be asked as long as the response would not have the effect of materially changing the tender received.

13.10 The bidder with the highest evaluation score will normally be awarded the contract, if this is not the case further advice must be sought from the Procurement and Commercial Team and Pathfinder Legal Services.

13.11 Authorisation of award must be granted in accordance with the Delegated Authorities Matrix in Appendix 2 before award can take place.

13.12 All bidders must be notified of the award decision simultaneously via the Council's e-procurement system whether or not their bid was successful using the template letters available on the procurement pages of the intranet.

13.13 Where the procurement is valued over the relevant UK procurement threshold, the notification of award letters will take a specific format to be compliant with Public Contract Regulations (2015) and will include a mandatory standstill period of not less than ten days. Such letters must be drafted by the Procurement and Commercial Team. If during the standstill period, a challenge or request for feedback is received from an unsuccessful bidder, the standstill period must be paused until the matter is successfully resolved. No contract award can take place in the intervening period. The officer in receipt of this communication must immediately contact the Procurement and Commercial Team and Pathfinder Legal Services for advice before any response is made.

13.14 The responsible officer must raise a purchase order and ensure that the contract and description in that purchase order are sufficiently clear.

13.15 The responsible officer must add the contract to the Council's Contract Register to ensure compliance with Local Government Transparency Code 2015.

13.16 Relevant documentation from the procurement process, particularly the tenders received and the evaluation process, must be retained by the service so that it can be made available for audit purposes.

13.17 The responsible officer must send a signed PDF copy of the contract to the Procurement and Commercial Team as soon as possible.

14 Use of Presentations/Site Visits or Demonstrations

14.1 The responsible officer should not use presentations, site visits or demonstrations in the procurement process except in exceptional circumstances where a clear justification has been agreed with the Procurement and Commercial Team

14.2 If used, all bidders must be given the opportunity to engage in these presentations, site visits or demonstrations and the procurement documentation must clearly state what weighting these have.

15 Late tenders, Irregular Tenders or Errors in Tenders

15.1 Tenders received after the fixed closing date and time or tenders which are not submitted in accordance with the Rules and any criteria set out in the procurement documentation, will be disqualified unless otherwise agreed by the Monitoring Officer.

15.2 Irregular tenders must be reported to the relevant chief officer. The chief officer, in agreement with the Monitoring Officer, may accept the irregular tender if they determine that the bidder has gained no unfair advantage from its irregularity. The reasons for such acceptance should be recorded in writing.

15.3 The relevant chief officer, with the prior approval of the Monitoring Officer, may permit a bidder to correct an error or omission that, in the opinion of the chief

officer, is an obvious one and if they determine that the bidder will gain no unfair advantage from correcting the error. Any such corrections must be recorded.

16 Clarifications and Negotiation

- 16.1 Bidders may seek clarifications throughout the procurement process. Such clarification requests must be recorded in writing and where the response may be of value to all potential bidders, the anonymised response must be circulated to those potential bidders.
- 16.2 Under no circumstances can clarification processes be used as an opportunity to conduct negotiations.
- 16.3 Negotiations are only permitted above the relevant UK procurement threshold and then only in compliance with the Public Contract Regulations (2015). This includes the use of post tender negotiations. If negotiation is being considered, the Procurement and Commercial Team must be contacted as soon as possible.

17 Forming Contracts

- 17.1 All expenditure with external organisations must be confirmed in writing.
- 17.2 Sections 10, [11](#), 12 and 13 detail the nature of the contract that should be used at each procurement threshold.
- 17.3 All contracts must be approved, signed by an appropriate officer (as detailed in the Delegated Authorities Matrix) or sealed by Pathfinder Legal Services if valued over £500,000 or if deemed necessary for other reasons. Please note that the use of e sign software is an acceptable method of signature.
- 17.4 A PDF copy of the signed contract must be forwarded to the Procurement and Commercial Team where the contract value is over £100,000.
- 17.5 All contracts valued over £5,000 must be entered on to the Council's Contract Register by the responsible officer.
- 17.6 Any changes to a contract should also be entered on to the Council's Contract Register by the responsible officer.

18 Bonds, Parent Company Guarantees and Other Sureties

- 18.1 Where a bond or guarantee is required to ensure satisfactory contract performance and/or to protect the Council, the requirement must be notified to bidders in the procurement documentation and must be in place no later than four weeks after contract signature.
- 18.2 The responsible officer should consult with the Chief Finance Officer and Pathfinder Legal Services as to whether such a bond or guarantee is required where:
- The total value of the contract exceeds £500,000; or

- It is proposed to make stage or other payments in advance of receiving the whole of the subject matter of the contract; or
- There is concern about the stability of the supplier no matter what the value.

18.3 The Council must never give a bond or other guarantee.

19 Non-Compliance with the Rules

19.1 If an officer becomes aware of any non-compliance with the Rules which cannot be remedied, they must notify the Monitoring Officer or Chief Finance Officer at the earliest opportunity. The consequences of such non-compliance may lead to suspension or dismissal from the Council.

20 Contract Management

20.1 All contracts valued over £100,000 must have a named contract manager.

20.2 During the life of the contract, the contract manager must monitor the overall performance of the contract in line with the specification, agreed service levels and contract terms.

20.3 In any case where a variation to an existing contract means that the contract value exceeds the relevant UK procurement threshold, or where there is any material change to the contract, the contract must be treated as a new procurement under these rules. The Procurement and Commercial Team should be contacted for further advice in these circumstances.

20.4 Legal advice must be sought before assignments or novations are entered into.

20.5 Contracts may be extended where:

- There is budgetary provision; and
- Value for money can be clearly demonstrated; and
- There is provision in the original contract for such an extension.

20.6 Extensions are not permitted where they are not provided for in the original contract or where such an extension would take the contract value over the relevant UK procurement threshold.

21 Other Matters

21.1 Abnormally Low Bids

21.1.1 Under the Public Contract Regulations (2015) the Council is required to request an explanation of the price or costs proposed in a tender where that price or those costs appear to be abnormally low in relation to the requirement.

21.1.2 Advice should be sought from the Procurement and Commercial Team during this process to ensure that the legal requirements are adequately complied with.

21.2 UK GDPR

21.2.1 Officers conducting a procurement should ensure that a Data Protection Impact Assessment is conducted prior to the procurement being conducted.

21.2.2 Further advice may be sought from the Procurement and Commercial Team and/or the Data Protection Team before further action is taken.

21.3 Retention of Records

21.3.1 The responsible officer must have due regard to the Council's Retention Policy in all procurement activity and record keeping.

Definitions

Assignment	Transfer of contractual benefit by one party to another.
Award notice	A notice published on Contracts Finder or Find A Tender which provides details of the winning bidder and the final value of the contract. Award notices are required for all procurements valued over £25,000.
Bidder	Any person or organisation who asks for or is invited to submit a quotation or tender.
Call Off	A specific requirement which can be met under the terms of a framework agreement/DPS and which is issued under the terms of the framework agreement/DPS.
Chief Officer	The Council officer as defined in the Constitution.
Collaborative joint procurement	Combining procurements together with likeminded contracting authorities for mutual benefit.
Contract	A legally binding agreement between two or more parties for performing some specified act(s) in exchange for a lawful consideration.
Contract Extension	An extension to the duration of a contract beyond the initial term but not including any alteration to the scope of the contract.
Contract Management	The process for managing contract creation, execution and analysis to maximise operational and financial performance of an organisation all while reducing financial risk.
Contract Manager	The officer responsible for the budget and the management of the contract, including the performance management and ensuring compliance with its terms and conditions.
Contract Register	The register that stores details of the Council's contracts such as duration and expiry dates.
Contract Term	The length of the contract including the initial terms and any extension periods proposed.
Contract Value	The total value over the whole life of the contract including potential extension periods.

Contract Variation	An alteration to the scope, term or any other part of a contract. The limitations of the Public Contract Regulations should be borne in mind when varying a contract.
Contracting Authority	Has the definition contained with the Public Contract Regulations 2015.
Corporate Contract	A contract that has already been let by the Council.
Council	Cambridgeshire County Council.
Dynamic Purchasing System (DPS)	A completely electronic system of limited duration which is established to purchase commonly used goods, services or works and which is open throughout its duration for the admission of suppliers who satisfy the selection criteria specified.
E-Procurement System	A system that enables the Council and suppliers to conduct the key activities of the procurement lifecycle over the internet.
Exception	Approval given as appropriate to except a procurement or contract from the Rules.
Evaluation	The process of assessing received tenders or quotations against the published criteria to identify the winning bidder.
Framework Agreement	A formal tendered arrangement which sets out the terms and conditions under which specific purchases (call-offs) can be made from the successful bidders in unpredicted quantities at different times throughout the term of the framework agreement.
Goods	Tangible assets including electricity, hardware, software, plant hire etc.
Initial term	The initial period of the contract which may be subsequently extended.
Invitation to Tender	Means the document(s) containing the specification, proposed terms and conditions, and other appropriate information, as issued to bidders to solicit formal tenders.
Irregular Tender	A tender that does not comply with the instructions set out in the Invitation to Tender document.

Light Touch Regime	Refers to those social and other specific services covered by Part 2: Chapter 3 – Section 7 and the CPV codes detailed in Schedule 3 of the Public Contract Regulations (2015).
Local	Areas covered by the Business Board of the Cambridgeshire and Peterborough Combined Authority. An organisation which is not local in its address but that can help the local area may be included in this definition.
Members	Democratically elected representatives that represent the interests of the people of Cambridgeshire at a local, regional and national level.
Monitoring Officer	The officer appointed by the Council under Section 5 of the Local Government and Housing Act 1989.
Novation	The substitution of a new contract for one already existing. The new contract may be between the new parties or may involve the introduction of a new party. A novation also takes place when the original parties continue their obligation to one another but a new agreement is substituted for an existing one.
Officer	An employee of the Council.
Open tender	A one stage tender process whereby all bidders are invited to bid in response to an advertisement.
Pathfinder Legal Services	The Council's legal advisors.
Publicly Available Contract	A contract that has been let by another Contracting Authority or a public purchasing consortium and which is available for use by the Council. The Council must have been named specifically or generally within the procurement documentation in order to enable access.
Quotation	An offer to sell goods, services or works at a stated price under specified conditions.
Responsible Officer	The officer responsible for the procurement and the budget under which the contract is being let.
Services Contract	Means public contracts which have as their object the provision of services other than those referred to in the works definition.

Specification	An exact statement of the particular need to be satisfied or essential characteristics that the Council requires and which a bidder must deliver.
Tender	A formal offer from a bidder which is capable of being accepted by the Council and which is submitted in response to an Invitation to Tender. It shall include all documents comprising the submission including pricing, technical specifications and method statements as well as information about the bidder.
UK GDPR	The UK General Data Protection Regulation which consists of the EU General Data Protection Regulation as incorporated into the law of England and Wales, Scotland and Northern Ireland by virtue of Section 3 of the European Union (withdrawal) Act 2018 and amended by Schedule 1 to the Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019.
UK Procurement Threshold	The contract value at which the Public Contract Regulations (2015) must be applied. See Appendix 3 for further information.
Value for Money	Not necessarily the lowest price, it combines goods, services or works that fully meet the needs with the level of quality required, delivered at the time needed and at an appropriate price.
Waiver	A means of seeking an exception from one or more of these CPRs.

Delegated Authorities Matrix

Procurement Stage	Budget support	Budget manager (Project Manager for Capital)	Head of Service	Service Director / Asst Director	Exec Director	Joint Commissioning Board (JCB)	Committee	Central Procurement Team
		Tier 4	Tier 3	Tier 2	Tier 1			
Procurement Plan approval ¹	N/A	N/A	N/A	N/A	N/A	Over £100,000	Inc. to approve start	£100,000 - £500,000 Senior Category Manager Over £500,000 Head of Procurement
'Start procurement' approval ²	N/A	Up to £200,000	Up to £500,000	Up to £500,000	Up to £500,000	Over £25,000 for P&C	Over £500,000 key decision	N/A
Contract award approval ³	N/A	Up to £200,000	Up to £500,000	Up to £500,000	Up to £500,000	N/A	Over £500,000 unless delegated	N/A

¹ ~~Procurement Plans that relate to People and Communities must be approved by the JCB. Plans that are for joint procurements by PCC and CCC must be approved by Heads of Procurement at PCC and CCC. All other Plans should be approved by the relevant Chief Officer or their named delegate. Procurement Plans must be approved by the relevant Chief Officer.~~

² Procurements that are not valued over £500, 000 but still are related to Key Decisions need to be approved by the appropriate Committee. Start procurement means publish advert, documents may start to be prepared before approval is granted.

³ Approval to award of contracts valued over £100,000 will require an Award Report to be prepared by the Responsible Officer and the Procurement Officer.

The Constitution
Part 4 – Rules of Procedure
Part 4.5 – Financial and Contract Procedure Rules
Annex 2 – Contract Procedure Rules

Procurement Stage	Budget support	Budget manager (Project Manager for Capital)	Head of Service	Service Director / Asst Director	Exec Director	Joint Commissioning Board (JCB)	Committee	Central Procurement Team
		Tier 4	Tier 3	Tier 2	Tier 1			
Sign or seal contract ⁴	N/A	Up to £200,000	Up to £500,000	Up to £500,000	Up to £500,000	N/A	N/A	N/A
Official order ⁵	Up to £5,000	Up to £200,000	Up to £500,000	Up to £1m	Unlimited	N/A	N/A	N/A
Enhanced order for specific business areas ⁶	Up to £5,000	Up to £1m	Up to £5m	Up to £1m	Unlimited	N/A	N/A	N/A

⁴ Contracts can be signed up to £500,000 unless the Monitoring Officer requires them to be sealed. Contracts over £500,000 should be sealed by Pathfinder Legal Services.

⁵ Approval of orders (in ERP Gold) are subject to prior thresholds being authorised, e.g. over £500,000 a Committee Report must have been approved

⁶ Approval of orders (in ERP Gold) are subject to prior thresholds being authorised, e.g. over £500,000 a Committee Report must have been approved

UK Procurement Thresholds

These thresholds are effective from 1st January 2024 and are inclusive of VAT.

Works threshold: £5,372,609

Services threshold: £214,904

Light Touch Regime threshold: £663,540

Concessions threshold: £5,372,609

Officer Employment Procedure Rules

Commented [A1]: Entire chapter moved to G4, subject to the following tracked changes

1. Recruitment and Appointment

1.1 Declarations

- (i) The Council will draw up a statement requiring any candidate for appointment as an officer to state in writing the name and job title of any relative, friend or acquaintance employed by Cambridgeshire County Council.
- (ii) No candidate so related to a councillor or an officer will be appointed without the authority of the relevant chief officer or an officer nominated by them.

1.2 Seeking support for appointment

- (i) Subject to paragraph 1.2(iii), the Council will disqualify any applicant who directly or indirectly seeks the support of any councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
- (ii) Subject to paragraph 1.2(iii), no councillor will seek support for any person for any appointment with the Council.
- (iii) Nothing in paragraphs 1.2(i) and 1.2(ii) above will preclude a councillor from giving a written reference for a candidate for submission with an application for appointment.

2. Recruitment of Chief Executive, Executive Directors, and Statutory Roles

2.1 Where the Council proposes to appoint a Chief Executive, executive director, or any other statutory role and it is not proposed that the appointment be made exclusively from among their existing officers, the Staffing and Appeals Committee will:

- (a) Draw up a statement specifying:
 - (i) The duties of the officer concerned;
 - (ii) Any qualifications or qualities to be sought in the person to be appointed;
 - (iii) The terms and conditions; and
 - (iv) The remuneration package.
- (b) Make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it.

- (c) Make arrangements for a copy of the statement mentioned in paragraph 2.1(a) to be sent to any person on request.

3. Appointment of Chief Executive, Monitoring Officer and Section 151 Officer

- 3.1 The Full Council will approve the appointment of the Chief Executive, Monitoring Officer and Section 151 Officer following the recommendation of such an appointment by the Staffing and Appeals Committee.
- 3.2 The Full Council may only make or approve the appointment of the Chief Executive, the Monitoring Officer or the Section 151 Officer where no well-founded objection has been made by any member of the Staffing and Appeals Committee.

4. Appointment of Executive Directors and Statutory Roles

- 4.1 The Staffing and Appeals Committee of the Council will appoint executive directors and statutory roles, excluding the Chief Executive, Monitoring Officer and Section 151 Officer.
- 4.2 An offer of employment as an executive director or any other statutory role shall only be made subject to satisfactory references and pre-employment checks.
- 4.3 For the purposes of these Procedure Rules, executive directors are those named in [Article 11 Chapter G1 \(Role of Officers and Management Structure\)](#) of the Constitution. Statutory roles, other than the Chief Executive, Section 151 Officer and Monitoring Officer, include:
 - (i) Director of Adult Social Services;
 - (ii) Director of Children's Services;
 - (iii) Director of Public Health; and
 - (iv) Chief Education Officer.
- 4.4 Where a reorganisation affects the structure/numbers of executive directors and/or statutory posts, posts in the new structure will be filled in line with the enabling process agreed at the time. Any competitive interviews will be carried out by the Staffing and Appeals Committee in accordance with the enabling process.

5. Other Appointments

- 5.1 Officers below executive director level.

The appointment of officers below executive director level (other than the identified statutory roles and assistants to political groups) is the responsibility of the Chief Executive as the Head of Paid Service or their nominee, and may not be made by councillors.

5.2 Assistants to Political Groups

Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group and in line with legislative requirements.

6. Dismissal and Disciplinary Action

6.1 In the case of dismissals, the Staffing and Appeals Committee will hear the case against the Chief Executive as Head of Paid Service, Monitoring Officer and Section 151 Officer concerned, and the hearing will be conducted in accordance with the Council's Disciplinary Procedure.

6.2 In the following paragraphs:

- (i) "the 2011 Act" means the Localism Act 2011;
- (ii) "Section 151 Officer", "disciplinary action", "head of the authority's paid service" and "monitoring officer" have the same meaning as in regulation 2 of the Local Authorities (Standing Orders) (England) Regulations 2001;
- (iii) "independent person" means a person appointed under section 28(7) of the 2011 Act;
- (iv) "local government elector" means a person registered as a local government elector in the register of electors in the authority's area in accordance with the Representation of the People Acts;
- (v) "the panel" means a committee appointed by the authority under section 102(4) of the Local Government Act 1972 for the purposes of advising the authority on matters relating to the dismissal of relevant officers of the authority;
- (vi) "relevant meeting" means a meeting of the authority to consider whether or not to approve a proposal to dismiss a relevant officer; and
- (vii) "relevant officer" means the Section 151 Officer, head of the authority's paid service or monitoring officer, as the case may be.

6.3 A relevant officer may not be dismissed should the authority not comply with the procedure set out in the following paragraphs.

6.4 The authority must invite relevant independent persons to be considered for appointment to the panel, with a view to appointing at least two such persons onto the panel.

6.5 In paragraph 6.4, "relevant independent persons" means any independent person who has been appointed by the authority or, where there are fewer than two such persons, such independent persons as have been appointed by another authority or authorities as the authority considers appropriate.

- 6.6 Subject to paragraph 6.7, the authority must appoint to the panel such relevant independent persons who have accepted an invitation issued in accordance with paragraph 6.4 in accordance with the following priority order:
- (i) A relevant independent person who has been appointed by the authority and who is a local government elector;
 - (ii) Any other relevant independent person who has been appointed by the authority;
 - (iii) A relevant independent person who has been appointed by another authority or authorities.
- 6.7 An authority is not required to appoint more than two relevant independent persons in accordance with paragraph 6.6 but may do so.
- 6.8 The authority must appoint any panel at least twenty working days before the relevant meeting.
- 6.9 Before the taking of a vote at the relevant meeting on whether or not to approve such a dismissal, the authority must take into account, in particular—
- (i) Any advice, views or recommendations of the panel;
 - (ii) The conclusions of any investigation into the proposed dismissal considered by the Service Appeals Sub-Committee acting as the Investigating and Disciplinary Committee (IDC); and
 - (iii) Any representations from the relevant officer.
- 6.10 Any remuneration, allowances or fees paid by the authority to an independent person appointed to the panel must not exceed the level of remuneration, allowances or fees payable to that independent person in respect of that person's role as independent person under the 2011 Act.
- 7. Appointment, Dismissal and Management of all other Employees**
- 7.1 The appointment, dismissal and management of employees (except the Head of Paid Services, Monitoring Officer and Section 151 Officer) including disciplinary action will be carried out by properly authorised officers of the Council in line with the Recruitment and Selection Policy, other employment policies and procedures agreed by the Council and in compliance with statutory obligations.
- 7.2 Councillors will not be involved in the disciplinary or dismissal of any officer below executive director level except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Council's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to members in respect of dismissals.

Decision Review Procedure Rules

Commented [A1]: Entire chapter moved to D3, subject to the following tracked changes

1. Overview

As set out in [Part 3B—Responsibility for Functions, Committees of Council, Strategy, Resources and Performance Committee Chapter D4 \(Strategy, Resources and Performance Committee\)](#), nine members of Strategy, Resources and Performance 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 Chapter D1 \(Role of Committees\)](#) and subject to the exceptions set out below, the Decision Review procedure shall apply to any decisions made by Policy and Service Committees (Adults and Health; Assets and Procurement; Children and Young People; Communities, Social Mobility and Inclusion; Environment and Green Investment; and Highways and Transport).

The Strategy, Resources and Performance 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:

- (a) 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.
- (b) A decision which satisfies the criteria for urgent decisions as set out in the Council's Rules of Procedure.
- (c) A decision by Full Council or subject to Full Council approval.
- (d) A decision by Strategy, Resources and Performance Committee.
- (e) Decisions made by regulatory committees and/or decisions of a

quasi-judicial or regulatory nature.

- (f) 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 [4-28.2](#).
- (g) A decision which has been made in accordance with ~~rule 17 of the Committee and Sub-Committee Procedure Rules, Previous Decisions and Motions~~ [section 16 \(Previous Decisions and Motions\) of Chapter D2 \(Committee Procedure Rules\)](#).

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 Strategy, Resources and Performance Committee

Where at least nine full members of the Strategy, Resources and Performance 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 Strategy, Resources and Performance 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 Strategy, Resources and Performance 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 Strategy, Resources and Performance Committee. The relevant committee shall reconsider the

matter, taking into account any concerns and recommendations of the Strategy, Resources and Performance 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 Strategy, Resources and Performance Committee once only. Once the review has been considered by the Strategy, Resources and Performance 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 Strategy, Resources and Performance Committee as appropriate, to take place within ten 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.

Members' Code of Conduct

Commented [A1]: Entire chapter moved to F2, without any changes

1. Purpose

- 1.1 The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct.
- 1.2 The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

2. Definitions

- 2.1 For the purposes of this Code of Conduct, a "councillor" means a member or co-opted member of a local authority or a directly elected mayor. A "co-opted member" is defined in the Localism Act 2011 Section 27(4) as "a person who is not a member of the authority but who:
- a) is a member of any committee or sub-committee of the authority, or;
 - b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;
- and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee".

3. General Principles of Councillor Conduct

- 3.1 Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles.
- 3.2 Building on these principles, the following general principles have been developed specifically for the role of councillor.
- 3.3 In accordance with the public trust placed in me, on all occasions:
- I act with integrity and honesty
 - I act lawfully
 - I treat all persons fairly and with respect; and
 - I lead by example and act in a way that secures public confidence in the role of councillor.

3.4 In undertaking my role:

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

4. Application of the Code of Conduct

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

4.2 This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor.

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

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

4.4 You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

4.5 Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct.

5. Standards of councillor conduct

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

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

General Conduct

6. Respect

6.1 As a councillor:

- (i) I treat other councillors and members of the public with respect.
- (ii) I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

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

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

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

7. Bullying, harassment and discrimination

7.1 As a councillor:

- (i) I do not bully any person.
- (ii) I do not harass any person.
- (iii) I promote equalities and do not discriminate unlawfully against any person.

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

7.3 The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include reported attempts to impose

unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

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

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

8. Impartiality of officers of the council

8.1 As a councillor:

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

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

9. Confidentiality and access to information

9.1 As a councillor:

(i) I do not disclose information:

a) given to me in confidence by anyone

b) acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless

- i. I have received the consent of a person authorised to give it;
- ii. I am required by law to do so;
- iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
- iv. the disclosure is:
 - 1) reasonable and in the public interest;
 - 2) made in good faith and in compliance with the reasonable requirements of the local authority; and
 - 3) I have consulted the Monitoring Officer prior to its release.

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

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

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

10. Disrepute

10.1 As a councillor:

(i) I do not bring my role or local authority into disrepute.

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

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

11. Use of position

11.1 As a councillor:

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

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

12. Use of local authority resources and facilities

12.1 As a councillor:

(i) I do not misuse council resources.

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

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

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

12.3 Examples include:

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

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

13. Complying with the Code of Conduct

13.1 As a Councillor:

- (i) I undertake Code of Conduct training provided by my local authority.
- (ii) I cooperate with any Code of Conduct investigation and/or determination.
- (iii) I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.
- (iv) I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct. It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

14. Interests

14.1 As a councillor:

- (i) I register and disclose my interests.

14.2 Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

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

14.4 You should note that failure to register or disclose a disclosable pecuniary interest as set out in Table 1, is a criminal offence under the Localism Act 2011.

14.5 Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

15. Gifts and hospitality

15.1 As a councillor:

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

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

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

15.2 In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in

which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendix A – The Seven Principles of Public Life

The principles are:

1. Selflessness

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

2. Integrity

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

3. Objectivity

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

4. Accountability

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

5. Openness

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

6. Honesty

Holders of public office should be truthful.

7. Leadership

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

Appendix B

1. Registering interests

- 1.1 Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in Table 1 (Disclosable Pecuniary Interests) which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in Table 2 (Other Registerable Interests).
- 1.2 "Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.
- 1.3 "Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.
- 1.4 You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
- 1.5 A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
- 1.6 Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

2. Non participation in case of disclosable pecuniary interest

- 2.1 Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in Table 1, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

3. Disclosure of Other Registerable Interests

- 3.1 Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in Table 2), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

4. Disclosure of Non-Registerable Interests

4.1 Where a matter arises at a meeting which directly relates to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

4.2 Where a matter arises at a meeting which affects –

- a) your own financial interest or well-being;
- b) a financial interest or well-being of a relative or close associate; or
- c) a financial interest or wellbeing of a body included under Other Registrable Interests as set out in Table 2

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

4.3 Where a matter (referred to in paragraph 4.2 above) affects the financial interest or well-being:

- a) to a greater extent than it affects the financial interests of the majority of inhabitants of the division affected by the decision and;
- b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

you may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

4.4 If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Table 1: Disclosable Pecuniary Interests

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

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer.
Subject	Description
Corporate tenancies	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and

	(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

* 'director' includes a member of the committee of management of an industrial and provident society.

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

Table 2: Other Registrable Interests

You must register as an Other Registrable Interest :

- a) any unpaid directorships
- b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
- c) any body
 - (i) exercising functions of a public nature
 - (ii) directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)of which you are a member or in a position of general control or management

Appendix C – the Committee on Standards in Public Life

1. The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on Local Government Ethical Standards. If the Government chooses to implement any of the recommendations, this could require a change to this Code. The recommendations cover:
2. Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
 - The introduction of sanctions
 - An appeals process through the Local Government Ombudsman
 - Changes to the Relevant Authorities (Disclosable Pecuniary Interests)
 - Regulations 2012
 - Updates to the Local Government Transparency Code
 - Changes to the role and responsibilities of the Independent Person
 - That the criminal offences in the Localism Act 2011 relating to Disclosable
3. Pecuniary Interests should be abolished
4. The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

Guidance on Confidentiality

Commented [A1]: Entire chapter moved to F2, without any changes

1. Information about the following matters should be regarded as confidential except in the circumstances outlined in section 2 of this guidance:
 - (a) Information which is marked as being confidential.
 - (b) Information where the recipient has been advised by a Council officer or member that the information is confidential.
 - (c) Information about individual service users or clients (past, present and prospective).
 - (d) Information about individual employees or office holders (past, present and prospective).
 - (e) Information relating to the names of tenderers, contractors, companies and the amounts and terms of contracts with the Council (past, present and prospective) prior to such information being released into the public domain when the tendering process has been completed.
 - (f) Information relating to potential or actual criminal proceedings.
 - (g) Information in documents which are circulated in draft.
 - (h) Personal information covered by the Data Protection Act 1998.
 - (i) Information relating to any court case or legal action which is not already in the public domain, unless there is specific legal advice to the contrary.
 - (j) Information supplied at spokes briefings, joint member meetings with the Corporate Leadership Team, and County Advisory Groups. Members will be advised whether the information may be made public.
2. Information is not confidential if it is already in the public domain. This will be:
 - (a) Information contained in a published official document.
 - (b) Information reported at a meeting which is open to the public.
 - (c) Information on the Council's website (this does not include the Council's Intranet).
 - (d) Information where the member has been advised that it is in the public domain.
 - (e) Information to which the public have the right of access under the Local Government (Access to Information Act) 1985 which is not deemed to be exempt information.

3. Members must seek advice from the Monitoring Officer on the disclosure of confidential information in advance of the information being disclosed.

Guidance on Gifts and Hospitality

Commented [NM1]: Entire chapter moved to F2, subject to the following tracked changes

1. Background

- 1.1 Members may well be offered gifts or hospitality during the course of conducting Council business. This raises an initial question of deciding whether or not to accept. The acceptance of a gift or hospitality potentially creates a risk to the integrity and reputation of the member as well as the Council itself. Members are strongly advised to be cautious and should consult the Monitoring Officer if they are in any doubt in a particular case.

2. Legal Position

- 2.1 While there is now no specific statutory requirement for members/co-opted members to register the offer of gifts and hospitality, the Bribery Act 2010 provides that if you accept any gift, loan, fee, reward or advantage whatsoever as an inducement or reward for doing or forbearing to do anything in respect of any matter or transaction in which the Council is concerned, you commit a criminal offence carrying a maximum term of imprisonment of ten years or a fine or both.

3. Members' Code of Conduct and Constitution

- 3.1 The Council's Members' Code of Conduct ([Part 5.1 of the Constitution](#)) provides that you must serve the public interest, rather than acting in the interests of any particular individual or section of the community, and it is a breach of the Code to improperly confer any advantage or disadvantage on any person, including yourself.

4. Registering gifts and hospitality

- 4.1 In order to protect the integrity of the Council, and yourself, members/co-opted members are strongly advised to register any gift or hospitality worth £50 or over that you receive in connection with your official duties as a member, together with the source of the gift or hospitality. You should also register an accumulation of small gifts you receive from the same source over a period of time that add up to £50 or more, and any hospitality provided to your partner. Claims should be made for partners if they accompany a councillor and receive hospitality or a gift alongside the councillor concerned.
- 4.2 Any registrations can be made and recorded on the form [at Appendix A provided by Democratic Services](#). This will then be published on the Council's website. See sections 10 to 14 of this guidance for information on how to register a gift or hospitality.

5. General Principles

- 5.1 In deciding whether it is proper to accept any gift or hospitality, you should apply the following principles. Even if it would normally be appropriate to accept a small gift or

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hospitality, you should not do so if it would be in breach of one or more of these principles:

- (a) Never accept a gift or hospitality as an inducement or reward for anything you do as a member.

You must not be influenced in the discharge of your duties by the offer, prospect of an offer, or the non-offer of any inducement or reward for discharging those duties in a particular manner.

- (b) You should only accept a gift or hospitality if there is a commensurate benefit to the Council.

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

Acceptance of hospitality can confer an advantage on the authority, such as an opportunity to progress the business of the authority through a working lunch. Acceptance of a gift is much less likely to confer such an advantage. But unless the benefit to the Council is clear and is commensurate with the value of the gift or hospitality, the presumption must be that the gift or hospitality is purely for your personal benefit.

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

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

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

- (i) Competitive procurement processes;
- (ii) Determinations of planning applications or planning policy;
- (iii) Funding decisions.

- (d) Never accept a gift or hospitality that puts you under an improper obligation.

Some commercial organisations and private individuals see the provision of gifts and hospitality as a means of buying influence. If you accept a gift or hospitality improperly, they may seek to use this fact to persuade you to determine an issue in their favour. If others note that you have been prepared to accept a gift or hospitality improperly, they may feel that they will no longer be able to secure impartial consideration from the Council.

- (e) Never solicit a gift or hospitality.

Never solicit or invite an offer of a gift or hospitality in connection with your position as a member and you should also take care to avoid giving any indication that you might be open to any such improper offer.

6. Gifts

- 6.1 As a general rule gifts should be refused tactfully, this includes all such offers from organisations or persons who do, or might, provide work, goods or services to the Council, or who need some decision from the Council. These rules also apply to discounts offered to an individual member going beyond those offered to the general public (other than those available to all members and officers).

- 6.2 As general guidance, the following small gifts worth under £50 may occasionally be accepted (provided that they do not conflict with the General Principles):

- (a) Office equipment or stationery given by way of trade advertisements or for use in the office. Nothing more elaborate than calendars, pens or diaries would fall within this exception.

(NB: You should take care not to display any such branded items when this might be taken as an indication of favour to a particular supplier or contractor, for example in the course of a procurement exercise.)

- (b) Gifts of only token value given on the conclusion of an official courtesy visit, for example, a visiting delegation.

Gifts, such as a box of chocolates or flowers, of a value less than £50, provided they are given as a genuine show of appreciation of work undertaken. These should never be accepted if it may give rise to an appearance of influence or reward.

7. Hospitality

- 7.1 Offers of hospitality should always be approached with caution and offers of hospitality where any suggestion of improper influence is possible must be refused.
- 7.2 Hospitality should only be accepted with the utmost caution, and on a scale appropriate, to the occasion or the circumstances. Acceptance may make it difficult

to avoid some obligation to the party offering it and might later be thought to have affected a member's impartiality in dealing with official matters.

- 7.3 Some offers of hospitality are always unacceptable for example, offers of holiday accommodation. Others will need to be considered on their facts, for example, invitations to sporting fixtures, evenings at the theatre or similar entertainment should only be accepted when they are required for the conduct of Council business or can properly be considered to provide a commensurate benefit to the Council not the individual member. Hospitality on a lower scale than this may also be unacceptable. No absolute dividing-line can be laid down.
- 7.4 There is an important difference between, for example, attendance in an official capacity at a function organised by a public authority and accepting hospitality from a private individual or firm standing to benefit from the goodwill of the Council.
- 7.5 However, it will not always be possible or even desirable to reject offers of hospitality on a modest scale. Acceptable hospitality is that not exceeding £50 in value such as official hospitality at a function organised by a public authority; a drink and sandwich following a site visit; or a working lunch of modest standard to enable business discussions. The decision whether to accept or not must depend on the circumstances in each case but hospitality should never be accepted if it may give rise to an appearance of influence or reward.

8. Wills and Bequests

- 8.1 If there is any connection between your work as a member and being a beneficiary under a will, then you need to be cautious as the offer of any benefit will need to be considered carefully in accordance with the General Principles and if accepted, may need to be registered. You should discuss this matter fully with the Monitoring Officer before a decision is taken on acceptance or refusal.

9. Sponsorship

- 9.1 Offers of sponsorship need to be treated carefully. If the offer is to sponsor the Council it should be referred to the Monitoring Officer who will consider the offer in accordance with the Council's usual processes.
- 9.2 If the offer is to sponsor you as an individual, it should be dealt with in the same way as an offer of a gift or hospitality. In some cases, such offers may be acceptable for example, where colleagues or others are sponsoring you for a charitable purpose. In other cases, they may not be acceptable for example, where they are related in some way to the work of the Council or your role as a member; involve significant sums; or seek specific outcomes for the person or organisation making the offer. If in doubt you should consult the Monitoring Officer.

10. Registering Gifts, Hospitality and Sponsorship

- 10.1 If you are offered gifts, hospitality or sponsorship worth £50 or over, you need to decide, taking into consideration the general principles, whether to accept or decline any such offer.

10.2 If you are in any doubt as to whether to accept or decline any gift, hospitality or sponsorship then you are advised to seek the Monitoring Officer's advice before doing so. In order to do this, you will need to advise the Monitoring Officer of the following:

- (a) The nature and your estimate of the market value of the gift or hospitality;
- (b) The name of the person or company offering the gift or hospitality;
- (c) The connection which you have with the person or organisation making the offer or invitation such as any work which you have undertaken for the Council in which they have been involved;
- (d) Any work, permission, concession or facility that you are aware that the person or organisation making the offer or invitation may seek from the Council; and
- (e) Any special circumstances that lead you to believe that acceptance would not be improper.

10.3 The Monitoring Officer will give you advice wherever possible, but it will be a matter for you to make the decision as to whether to accept or decline. Your decision and the reasons for it should then be entered into the Register of Members' Interests.

10.4 Where you do accept any gift or hospitality of £50 or over you should register this within 28 days of receiving the gift or hospitality. (This includes hospitality offered to you and your partner which in total is £50 or over).

11. Voluntary Declarations

11.1 You can always make a voluntary declaration to be entered on the Register of Gifts and Hospitality, even if you have declined the gift or hospitality or the value of the gift or hospitality is less than £50. If you are concerned that an offer or its acceptance might be misinterpreted you may make such a voluntary declaration to ensure that there is nothing secret or underhand about the gift or hospitality or your actions.

12. Gifts to the Council

12.1 You may at some time be offered a gift for the Council as opposed to a gift to you in your individual capacity as a member. Such gifts could take several forms, for example: land, buildings, goods, services, either for the Council to retain or test with a view to future acquisition; offers to carry out works, or provide services; or sponsorship of a Council-supported or organised function or activity. In such cases you should report the offer on receipt to the Monitoring Officer who will consider and determine in accordance with normal Council processes whether the Council should or should not accept the gift.

- 12.2 The Monitoring Officer will notify the person or the organisation offering the gift, whether it is accepted or not and will:
- (a) Record the acceptance or non-acceptance;
 - (b) Record the outcome for audit purposes; and
 - (c) Ensure the gift, if accepted, is properly applied for the benefit of the Council.
13. Gifts to the Chair
- 13.1 Gifts received by the Chair in their official capacity are deemed to be gifts of the Council. The Chair should record the receipt of all such gifts in the Register and in consultation with the Monitoring Officer determine how best they may be used for the benefit of the Council.
14. What do I need to declare at a meeting?
- 14.1 If a matter under consideration at a meeting is likely to affect a person who gave you a gift or hospitality then you must declare the existence and nature of the gift or hospitality, the source who gave it to you and how the business under consideration relates to that source.

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Appendix A

Declarations of Gifts and Hospitality for inclusion within the Gifts and Hospitality Register and Members' Interests Form

To: The Monitoring Officer

Gift Declaration(s):

I wish to declare that I have received the following gifts with an estimated value in excess of £50 each or frequent received gifts valued in excess of £50 from the same donor:

Date of Receipt Of Gift	Nature of Gift (Description)	Estimated Value (No need to declare unless over £50 in value)	Donor (Name and Address)	Nature of Relationship (Between You and Donor) Is the Donor dealing with you or the Council in relation to any legal, statutory or enforcement offers, such as planning applications? If so please give details:	Set out how the benefit to the Council is commensurate with the value of the gift:	If the gift has already been donated, please provide date and details of recipient:

Commented [NM2]: Appendix removed due to new presentation

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Hospitality Declaration(s):

I have received the following hospitality with an estimated value in excess of £50 per event:

Date of Receipt of Gift	Nature of Gift (Description)	Estimated Value (No need to declare unless over £50 in value)	Donor (Name and Address)	Nature of Relationship (Between You and Donor) Is the Donor dealing with you or the Council in relation to any legal, statutory or enforcement matters, such as planning applications? If so please give details:	Set out how the benefit to the Council is commensurate with the value of the hospitality provided:	If the gift has already been donated, please provide date and details of recipient:

Name of councillor:

Signature: Date of Declaration:

Please return this form to:
Democratic Services, Cambridgeshire County Council, New Shire Hall, Alconbury Weald, PE28 4YE
Democratic Services: democraticservices365@cambridgeshire.gov.uk, 01223 699180

Guidance on Conflicts of Interest

Commented [A1]: Entire chapter moved to F2, subject to the following tracked changes

1. Introduction

- 1.1 This guidance is for councillors who wish to consider how to manage potential conflicts of interest and will form a supplementary document to the Member's Code of Conduct.
- 1.2 Councillors, as holders of public office, are obliged to follow the Nolan Committee's Seven Principles of Public Life:
- (a) Selflessness: You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.
 - (b) Integrity: You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
 - (c) Objectivity: When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.
 - (d) Accountability: You are accountable for your decisions to the public and you must cooperate fully with whatever scrutiny is appropriate to your office.
 - (e) Openness: You must be as open as possible about your decisions and actions and the decisions and actions of your authority and should be prepared to give reasons for those decisions and actions.
 - (f) Honesty: You must declare any private interests, both pecuniary and nonpecuniary, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out below.
 - (g) Leadership: You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.
- 1.3 Under the Members' Code of Conduct, councillors are obliged to declare pecuniary interests and non-statutory disclosable interests. However, these formal definitions do not cover every possible conflict of interest which could be encountered by county councillors in their role and this document provides additional explanation and guidance on what conflicts, arising out of specific interactions/transactions with the Council, ought to be addressed. This guidance supplements the information already provided in the Members' Code of Conduct ([Chapter 5-1 of the Constitution](#))

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and ~~Procedure Rules for Committee and Sub-Committee Meetings (Chapter 4-4 of the Constitution)~~ [Chapter D2 \(Committee Procedure Rules\)](#).

1.4 This guidance:

- (a) Applies to those interactions between the Council's services and councillors when councillors are acting as private individuals but where their Council role provides an inherent risk of being perceived as gaining favourable / unfavourable consideration.
- (b) Sets out the practical actions required to ensure compliance with the rules so the Council can demonstrate the highest standards of conduct have been applied.

1.5 For the avoidance of doubt this guidance applies to:

- (a) All county councillors;
- (b) Transactions involving the immediate family of the above (i.e. spouses or civil partners, parents and children); and
- (c) Transactions where the above persons act as a representative of another individual (e.g. powers of attorney, executor, agency, etc.)

1.6 These requirements do not apply where a councillor interacts with the Council for simple, routine transactions, for example:

- (a) Paying an invoice / council tax;
- (b) Paying a parking fine, etc.; and
- (c) Using a routine council service as a customer (e.g. parking, library facilities, etc.)

1.7 These requirements do apply where an interaction with the Council requires more than simple transactional engagement, for example:

- (a) Complex services provided by the Council including social care, mental health, etc.;
- (b) Dispute / disagreement of any nature (e.g. appealing a parking fine, refuting a debt, etc.); and
- (c) Any service requiring an application and / or eligibility criteria, such as a tenancy.

1.8 The guidance does not apply where a councillor acts on behalf of a resident as an advocate in their role as councillor, unless such a person falls within the above categories (i.e. a friend, relative, etc.). Where the relationship to the resident could

be interpreted as such, the councillor should seek advice from the Monitoring Officer.

2. Key Principles

2.1 The objectives of this guidance are to:

- (a) Provide public confidence that councillors do not seek or receive inappropriate advantage or disadvantage in personal transactions with the Council;
- (b) Ensure appropriate public transparency of certain transactions to maintain public confidence in Council services and the conduct of its councillors; and
- (c) Ensure appropriate confidentiality to relevant transactions.

2.2 The application of this guidance will require additional scrutiny outside of normal service delivery to ensure public sector standards are upheld, but its application should ensure councillors receive the same consideration as any resident / service user, albeit with additional safeguards and transparency.

3. Process

3.1 Where a councillor interacts with the Council in respect of non-simple, non-routine transactions they should highlight this, in writing, to the Chief Executive.

3.2 The councillor should also advise the relevant Council officer handling the transaction that this process applies and that they should notify their line manager and highlight this guidance.

3.3 The Chief Executive shall, in consultation with the Monitoring Officer and Chief Internal Auditor, oversee the relevant decision, service delivery, etc. and nominate a specific senior officer to liaise and support the relevant service to progress the issue properly and to avoid delays arising from the application of this guidance.

3.4 Where the issue involves ongoing service provision/engagement with a councillor, oversight shall extend to periodic reviews of the transaction/support at least annually.

3.5 In all instances the normal transactional processes shall be applied (see item (6) below), and in addition:

- (a) The Chief Executive, in consultation with the Monitoring Officer or Chief Internal Auditor, shall determine whether the decision-making processes shall be anonymised.
- (b) Where the identity of the councillor is known to the service providing the decision/service support all communications between the councillor and the service shall copy the named officer as at (3) above and the Monitoring Officer;

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(c) Where the identity of the councillor has not been made known to the service providing the decision/service support as per the above process;

(i) The service decision shall not be implemented until reviewed and confirmed through this process by the person(s) designated by the Chief Executive;

(ii) The decision shall be communicated to the councillor by the person(s) designated by the Chief Executive, together with any communication to confirm rights of appeal etc.

(d) Where the identity can be anonymised, the decision shall be taken and implemented with the outcome communicated to the Chief Executive. In seeking to anonymise the information, such data as is required to take an informed decision shall be provided.

3.6 The normal decision-making process shall be applied including governance structures and schemes of delegation. For clarity:

(a) If the service decision would normally be taken by an officer, that officer shall take the decision, but it shall be reviewed by that officer's line manager.

(b) If the decision would normally be taken by a committee, that decision shall be submitted to the committee within a formal report that:

(i) Clearly sets out the relevant service criteria applicable to the decision;

(ii) Clearly sets out (but if possible anonymised) the potential undue influence that could be perceived and how the recommended decision has both:

1. Applied the relevant rules; and

2. Where necessary, mitigated against any perception of undue influence.

(iii) Contains the Chief Executive and Monitoring Officer's recommendations.

3.7 Where, in the opinion of the Chief Executive, Monitoring Officer and Chief Internal Auditor, the normal decision-making process cannot provide the required transparency, the decision will be escalated as below. For example, where the councillor's identity is known and that knowledge could be perceived by a reasonable person to have the potential to influence the decision.

(a) Where the decision was to be taken by officers, such decision would be escalated to a more senior officer.

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(b) Where a decision cannot be escalated to a more senior officer it may be escalated to either:

- (i) A relevant decision-making committee of the Council, or
- (ii) A joint consideration of the matter by the Chief Executive, Monitoring Officer and Section 151 Officer. The views of the Chief Internal Auditor may also be invited.

Such decision may be taken with the exclusion of press and public where an individual's personal information would otherwise be publicised (together with a redacted public decision paper).

(c) In all above situations the decisions (when taken) shall be:

- (i) Recorded within a central register maintained by the Monitoring Officer; and
- (ii) Copied to the Council's Chief Internal Auditor and External Auditor.

3.8 If in doubt, councillors should always request guidance from either the Council's Chief Internal Auditor or Monitoring Officer.

Officers' Code of Conduct

Commented [A1]: Entire chapter moved to G3, without any changes

1. Introduction

- 1.1 The Code of Conduct defines the standards of behaviour we expect of all our employees. If you do not understand it or how to comply with it, you must ask your line manager to explain it to you.
- 1.2 The intention of the Code of Conduct is to helpfully set out the broad principles of how we should do things – it is not an exhaustive list of what you can and cannot do. The Code of Conduct is enforced through our disciplinary procedure.

2. Behave professionally

- 2.1 We expect all employees to interact and work with the public and colleagues in an appropriate and professional way at all times.
- 2.2 We expect you to engender public trust and confidence in the Council and not to bring the organisation into disrepute. This includes action outside of work that is relevant to your job role or that may undermine public confidence in you to carry out your role. You must not knowingly publish or post anything, including on social media that could damage the reputation of the Council.
- 2.3 We expect you to co-operate with your manager and comply with all lawful management instructions.
- 2.4 You are expected to work in a professional manner with all councillors regardless of their political affiliation. If you have or enter into a close personal relationship with an elected member you need to disclose this (see Section 11).

3. Act with honesty and integrity

- 3.1 We expect you to communicate openly and honestly with your line manager about your work.
- 3.2 We expect you to submit accurate claims for expenses and allowances – claiming only for payments, which you are entitled to receive. If you receive any payment in error, for example an overpayment of salary or expenses, you must notify your manager as soon as possible.
- 3.3 You must keep accurate records of your working time where this is required.
- 3.4 You must not order goods for your own personal use through a Council account. You are not permitted to use your position to obtain a discount for goods or services unless this is part of our recognised employee discount scheme.

4. Act lawfully

- 4.1 You must comply with the law in all aspects of your work.
- 4.2 You are required to immediately notify your manager in writing if you are arrested, cautioned, charged or convicted of any crime at any point during your employment. Your manager will assess whether this information has any impact on your job role.
- 4.3 If you suspect that someone is breaking the law you must report this - speak to your line manager in the first instance. Alternatively, you should contact internal audit or raise your concerns using the Whistleblowing Policy.
- 4.4 If your role involves working in / managing children or adult services, you must inform your manager immediately if you are barred for any reason. If you are working in early years childcare, or working with / managing later years childcare (for children up to the age of 8 outside the school day), you must tell your manager immediately if you are disqualified from working with children or if someone who lives or works in your household becomes barred.

5. Respect equality and diversity

- 5.1 Respecting the equality and diversity of the public that we serve and your colleagues is very important. We expect you to act in accordance with our Respect@Work policy, put our Respect@Work pledge into practice, and promote our commitment to equality and diversity at all times.
- 5.2 You must not discriminate against any individual on the basis of their protected characteristic(s) (i.e. because of their age, disability, race, religion or belief, gender, sexual orientation, gender reassignment, pregnancy or maternity leave or because of a person's marital or civil partnership status).
- 5.3 You should appropriately challenge any discriminatory behaviour that you witness – and seek support from your line manager in the first instance.

6. Contact with the media

- 6.1 You must not make statements to the media on behalf of the Council unless it is your job to do so. All media enquiries should be referred to the Communications Team.

7. Fulfil your safeguarding responsibilities

- 7.1 We are committed to safeguarding children and vulnerable adults and it is essential that you fully comply with our safeguarding policies and procedures. This includes adhering to specific local rules and procedures that apply in your area of work. If you have any concerns about any aspects of safeguarding you must raise these with your line manager in the first instance. Alternatively, you should raise any safeguarding concerns using the Whistleblowing Procedure.

8. Handle information securely

- 8.1 We have specific rules on data security, outlined in Information Management and Governance Framework, which you need to read and familiarise yourself with. You are required to comply with these rules when handling information. You must not access or use any information obtained in the course of your employment for personal gain.

9. Comply with all policies, rules and procedures

- 9.1 You are required to act in accordance with all of our policies and procedures and comply with local rules that are in place in your area of work, including:

- All IT policies
- Health and safety policy and procedures (including the Alcohol and Drugs policy and the Smoke Free Environment Policy)
- Anti-Money Laundering and Anti-Fraud and Corruption Policy
- All employment policies
- All procurement rules

10. Fulfil your management responsibilities

- 10.1 If you have line management responsibility, you must make sure your employees are aware of the Code of Conduct and address any breaches as soon as these occur.
- 10.2 We expect you to model our values and behaviours and embed these within your team, ensuring that your team's work is aligned with our People Strategy.
- 10.3 We expect you to proactively manage any employment issues that arise in your team in accordance with our employment policies.
- 10.4 You are responsible for proactively managing your team's performance and promptly addressing any performance issues that arise.
- 10.5 You must not be involved in making significant decisions that involve a relative, partner or friend. You are not permitted to line manage a partner or family member.

11. Declare relevant interests

11.1 You are required to declare any private interests that you have and any work that you undertake elsewhere in accordance with the table below.

Situation	Action required	When to declare
Undertaking private work (paid or unpaid)	<p>All employees must complete the Code of Conduct Declaration Form before doing any private work.</p> <p>Employees on a P Grade (or equivalent) and above must also discuss with their Head of Service the potential impact of additional work on their role with us, and agree how any potential negative impact will be avoided.</p>	<p>Prior to appointment or before taking on private work.</p> <p>The declaration must be updated if the nature of the private work is due to change.</p> <p>Confirm information is up to date annually.</p>
Undertaking consultancy work for another organisation	<p>Obtain permission from your Head of Service prior to undertaking consultancy work by completing the Code of Conduct Declaration Form.</p>	<p>Before taking on a consultancy role.</p> <p>The declaration must be updated if the nature of the consultancy work changes.</p> <p>Confirm information is up to date annually.</p>
<p>Potential conflicts of interest.</p> <p>Examples include:</p> <ul style="list-style-type: none"> • Involvement with clubs and societies that we work with or fund. • Involvement with organisations that provide similar services to the Council. 	<p>Declare any interests that you have outside of work and discuss with your line manager and agree how any conflicts can be avoided.</p> <p>You must also declare if your partner or a close relative has a potential conflict of interest (e.g. if your partner is involved with an organisation that is tendering for work with</p>	<p>Prior to appointment or prior to taking on a responsibility that could be a potential conflict of interest.</p> <p>The declaration must be updated if the nature of the potential conflict of interest changes.</p> <p>Confirm information is up to date annually.</p>

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Situation	Action required	When to declare
<ul style="list-style-type: none"> Directorships including with companies that are involved with or funded by the Council. Relationships with elected members. 	<p>the Council).</p> <p>To do this please complete the Code of Conduct Declaration Form.</p>	

12. Declare gifts and hospitality

- 12.1 You must declare any gifts and hospitality that you are offered as detailed in the table below. If you have any doubts about whether you should accept a gift or offer of hospitality, you should speak to your line manager. There may be specific local rules that apply in your team e.g. to protect vulnerable service users who may feel obliged to give a gift.

Situation	Action required
Offered a token gift (value of £25 or lower)	<p>Check with your manager if this can be accepted.</p> <p>Complete the Gifts and Hospitality Declaration Form.</p>
Offered a gift that is more than a token gift (value of £25 or above)	<p>Do not accept.</p> <p>Return gifts that have already been received.</p> <p>Make a declaration by completing the Gifts and Hospitality Declaration Form.</p>
Offers of hospitality	<p>You may attend a function in an official capacity (for example, a conference related to your job role).</p> <p>Decline any invitations that are primarily or only for social purposes (and that could be viewed as trying to influence your decision making). Make a declaration by completing the Gifts and Hospitality Declaration Form.</p>

13. Related parties declarations

- 13.1 We are required to disclose material transactions with related parties within our Statement of Accounts. To inform this process, the Finance Team requires all senior managers (i.e. Tier 1, 2 and 3 of the organisation) to complete a related parties declaration each year. If a senior manager does not have anything to

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declare, they need to submit a nil return. Related parties declarations are made available to our external auditors.

14. Data Protection

- 14.1 Any data collected and processed as part of employing and managing employees is held securely. It is accessed by, and disclosed to, individuals only for the purposes of completing that specific procedure; process or activity. Records are retained and destroyed in accordance with the organisations Retention Schedule.
- 14.2 Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the Data Protection Policy immediately. It may also constitute a disciplinary offence, which may be dealt with under the Disciplinary Procedure.

15. Further information

- 15.1 Employees with questions about the Code of Conduct should speak to their line manager. Managers requiring further guidance should speak to the HR Advisory Team.

Protocol on Member/Officer Relations

Commented [NM1]: Entire chapter moved to F3, subject to the following tracked changes

1. Introduction

- 1.1 The protocol is designed to provide a guide to good working relations between members and officers, to define their respective roles and provide some principles governing conduct. It is not intended to be prescriptive or comprehensive and seeks simply to offer guidance on some of the issues that most commonly arise.
- 1.2 The protocol seeks to reflect the principles underlying the respective codes of conduct that apply to members and officers and should be read in association with those codes. The shared objective of the codes is to enhance and maintain the integrity of local government.
- 1.3 This protocol will also apply to co-opted members of committees/boards.

2. Personal Relationships

- 2.1 Guidance on personal relationships is contained within the codes of conduct.
- 2.2 Provided these guidelines are observed there is no reason why there should not be an informal atmosphere between members and officers outside formal meetings and events.
- 2.3 It is clearly important that there should be a close working relationship between committee chairs, spokes, and the relevant executive director or director and other senior officers. However, such relationships should never be allowed to become so close, or appear to be so close, as to bring into question the individual's ability to deal impartially with others.

3. Members' Constituency Role and Individual Officers

- 3.1 A member may be asked for advice and support by an officer who is one of their constituents. Officers are entitled to seek such assistance in the same way as any other member of the public. However, members should be aware of [the Officer Employment Procedure Rules in Part 4 Chapter G4 \(Officer Employment Procedure Rules\)](#) of this constitution and be careful not to prejudice the County Council's position in relation to disciplinary procedures or employment matters in respect of an officer. A member approached for help in such circumstances should first seek advice from the Monitoring Officer.

An officer should treat a member as they would a member of the public in relation to the personal receipt of council services.

4. Support Services to Members and Party Groups

- 4.1 Members are provided with access to information and communication technology (ICT) systems and to support services (e.g. diary management, correspondence handling, typing, printing, photocopying etc.) to enable them to better perform their policy and constituency role as county councillors.
- 4.2 Members should not use – and officers should not provide – such access and support services in connection with party political or campaigning activity or for purposes not related to Council business, except that ICT access may be used for non-commercial purposes provided it does not cause a conflict with, or risk to, Council systems, or increase the support required from officers.

5. Member/Officer Working

- 5.1 The relationship between officers and members should be characterised by mutual respect and courtesy and recognition of each other's roles and responsibilities. Members have the right to challenge officers' reports and actions, but they should avoid personal and or/public attacks, and ensure their criticism is fair and constructive.
- Officers should not publicly criticise Council decisions even if they do not personally agree with those decisions.
- 5.2 Collaborative working between members and officers is essential but close personal familiarity can lead to damaging assumptions by others. Councillors and officers should inform the Monitoring Officer of any relationship either personal or family, or business connection which might be seen as unduly influencing their work in their respective roles. The Monitoring Officer will consider what action, if any, should be taken.
- 5.3 Officers work to the instructions of their managers not individual members.
- 5.4 Members must not require officers to change their professional advice or take any action which the officer considers unlawful or illegal or which would amount to maladministration or breach of a statutory duty.
- 5.5 Members should not raise matters relating to the conduct or capability of a Council officer or of officers collectively at meetings held in public or in the press. Any concerns should be raised using the procedure set out at paragraph 12.1 below.
- 5.6 The advice provided and actions taken by officers should be sensitive to the political nature of the organisation, but their advice should always be independent and unbiased.

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- 5.7 Members must consult with the Monitoring Officer and the Section 151 Officer about legality, maladministration and financial impropriety and if they have doubts as to whether a particular decision is or is likely to be contrary to the policy framework or budget.
- 5.8 The Council has a statutory duty to positively promote equality. Members and officers should not by their manner, speech, or in any written communication, be discriminatory with regards to a person's age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation, or any other personal matter.
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 director or director or their 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:
- (a) Notice of attendance is given to the proper officer and made available to the other group leaders setting out the subject matter under discussion.
 - (b) The Chief Executive, Section 151 Officer or Monitoring Officer or their nominee will be in attendance.
- 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.
- 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), as they are not bound by the Code of Conduct's obligations of confidentiality. 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.

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- 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).

7. Officers and Individual Members

- 7.1 Any group leader, spokes or committee chair may request a private and confidential briefing from an executive director or director on matters of policy which have already been or may be discussed by the Council or within its decision-making or advisory process. All requests should be made to the appropriate executive director or director, who should invite an officer from the Council's Democratic Services Team to attend if this is thought appropriate. Briefings shall remain strictly confidential and are not to be shared with other members of the Council unless so permitted by the relevant member.
- 7.2 Except for the confidential policy advice referred to above, where possible information will be shared among political group representatives.
- 7.3 Individual members may request any executive director or director (or another senior officer of the service or directorate concerned) to provide them with factual information. Such requests must be reasonable. The relevant committee chair and the spokes will, unless it is of a minor nature, be advised that the information has been given and will be supplied with a copy upon request.
- 7.4 If an executive director or director considers the cost of providing the information requested - or the nature of the request - to be unreasonable, they shall seek guidance from the Chief Executive as to whether the information should be provided. Where necessary, the Chief Executive will discuss requests with the relevant group leader.
- 7.5 Confidential information relating, for instance, to casework should not normally be sought. If in exceptional circumstances members wish to discuss confidential aspects of an individual case then they shall first seek advice from the executive director or director and follow appropriate guidance.
- 7.6 Any Council information provided to a member must only be used by the member solely for the purpose for which it was provided (i.e. in connection with the proper performance of the member's duties as a member of the Council). The point is emphasised in [the Code of Conduct Chapter F2 \(Members' Code of Conduct\)](#).

8. Officers and Non-County Council Elected Representatives

- 8.1 Officers may be requested to meet with councillors or elected representatives from other councils or organisations to provide briefings and/or policy advice.
- 8.2 Any officer requested to attend a meeting of this nature which is not held on a cross-political party basis must obtain the prior authorisation of the Chief Executive who shall inform all group leaders of the arrangements. The officer will then meet the councillor or elected representative and the county councillor for the division will be invited.

9. Media Relations

- 9.1 All relations with the media must be conducted in accordance with the Council's agreed procedures and the law on local authority publicity.
- 9.2 Officers will make every effort to keep councillors informed of media interest in Council activities relevant to their responsibilities and the electoral divisions they represent, especially regarding strategic or contentious matters.
- 9.3 Any officer assisting a member with media relations must act at all times in the interests of the whole Council and in a politically impartial manner. Other than factual statements, members should not seek assistance from an officer with the preparation or issue of any media statement that will adversely affect the reputation of the Council.

10. Keeping the Local Members informed

- 10.1 To enable them to carry out their divisional role effectively, members will be fully informed as early as possible about matters affecting their division.
- 10.2 Senior officers must ensure that effective and timely arrangements are in place to inform members of such matters, thus allowing them to promote and develop their representative role. Local members shall also be kept informed about matters affecting their divisions during the formative stages of policy development and discussion at informal meetings, to enable them to contribute to the decision-making process.
- 10.3 Issues may affect a single electoral division but others may have a wider – even sub-regional – impact, in which case numerous members will need to be kept informed.
- 10.4 Local members have an important role to play in representing the County Council in their constituencies; responding to the concerns of their constituents; in meetings with partners and serving on outside organisations.
- 10.5 Whenever a public meeting is organised by the Council to consider a local issue, all the members representing the electoral division(s) affected should be invited to attend the meeting as a matter of course.

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10.6 If a local member intends to arrange a public meeting on a matter concerning some aspect of the Council's work, they should inform the relevant officer.

10.7 Similarly, whenever the Council undertakes any form of consultative exercise, the local member(s) should be notified immediately prior to the outset of the exercise.

11. Member Training

11.1 Members are expected to embrace the principles of personal development and skill training and ensure they allocate time to participate in all the necessary training and personal development activities. This includes the necessary skills to take advantage of the IT facilities made available to them. Group leaders should ensure that all new members in the group attend new councillor induction training.

12. Complaints/Concerns

12.1 Procedure for Members

If a member is dissatisfied with the conduct, behaviour or performance of an officer they should raise the matter privately with the relevant executive director or director. If their concerns relate to an executive director or director the concern should be raised with the Chief Executive. If the concerns relates to the Chief Executive then the concern should be raised with the Monitoring Officer.

12.2 Procedure for Officers

If an officer is unhappy with the conduct or behaviour of a councillor they should seek to resolve the matter by appropriate discussion and involvement of their executive director or director.

In the event that matters remain unresolved they should inform the Monitoring Officer who will consider what action should be taken.

13. Arbitration

13.1 When necessary, the Chief Executive will arbitrate on the interpretation of this protocol following consultation with the Monitoring Officer.

Elections and Referendums: Code of Practice for Members, Candidates and Staff

Commented [NM1]: Entire chapter moved to G8,
without any changes

1. Introduction

- 1.1 This code applies to all Council members, candidates, political agents and staff and relates to the roles and rights of candidates at parliamentary, county and district elections and conduct during referendums.
- 1.2 The code reflects the Government's Code of Recommended Practice on Local Authority Publicity 2011. It refers primarily to the County Council's conduct in the run up to elections and referendums. Election candidates will need also to have regard to national regulations relating to conduct at elections, as well as the requirements of other public bodies such as the NHS.
- 1.3 Any comments or questions arising should be addressed initially to the relevant executive director, or to the County Returning Officer.

2. Parliamentary Elections

- 2.1 County Council members and staff should be even-handed and as helpful as possible to all candidates.
- 2.2 Except for the use of public premises in the pre-election period, parliamentary candidates, including serving MPs, have the same rights as any other member of the public. In law, only facilities and information available to the general public should be made available to them.

3. All Other Elections

- 3.1 County Council members and staff should be even-handed and as helpful as possible to all candidates.
- 3.2 Except for the use of public premises in the pre-election period, candidates have the same rights as any other member of the public. In law, only facilities and information available to the general public should be made available to candidates.

4. Referendums

- 4.1 There are statutory restrictions that prohibit the publication of certain material prior to certain types of referendum. Essentially the Council should not publish material that expresses support for or opposition to a referendum question, or which appears designed to encourage someone to sign a petition relating to the constitutional affairs of the authority.

5. Guidelines to Councillors

5.1 Serving councillors should not seek to use their position as members to obtain privileges from the County Council for any candidates in relation to:

- (a) The issue and use of confidential information;
- (b) The use of County Council premises;
- (c) The use of staff time; and
- (d) Visiting County Council establishments.

6. Guidelines to Staff

6.1 Staff should always act fairly and impartially towards all candidates. In their professional capacity, they must not take part in any publicity which could link them with any candidate or political party.

6.2 Political posters or similar election material should not be displayed in any County Council office or establishment, or on cars used by staff for official business or which are parked in Council car parks, or on County Council owned lampposts or highway verges.

6.3 Similarly, political/election material should not be displayed by any contractor working on behalf of the County Council. Staff should make this clear in any relevant contracts with the Council.

6.4 Council premises should not be used in any way to promote or signify any favour or support for an individual candidate or political party. General photographs of the exterior of Council premises from outside the site are permissible providing they are not used to exploit or indicate the views of the County Council or any of the pupils, residents or staff working in those premises. Photographs of staff, pupils or other council clients will only be permitted if appropriate prior consent has been obtained from the head of the establishment or the headteacher of the school.

7. Staff in Politically Restricted Posts

7.1 Those staff whose posts have been identified as “politically restricted” are subject to legal constraints and therefore should not:

- (a) Hold office in a political party, act as an election agent or canvass on behalf of a political party or a candidate for election; or
- (b) Speak in public, give interviews or publish any written work with the intention of influencing public support for a political party.

7.2 These restrictions do not prevent any post holders or their families from

displaying an election poster in a window of their home if they so wish.

8. Use of Council Facilities

- 8.1 Any facilities provided by the Council (e.g. email and IT, secretarial services, stationery and transport) for members to carry out their duties as councillors are to be used for those duties only. They may continue to be used for those duties during the period prior to an election. However, they must not be used for electioneering or canvassing.

9. Use of Premises

- 9.1 Once an election is called, candidates are legally entitled to use publicly funded schools and other public meeting rooms for election meetings free of hire charge. However, they can be asked to meet the cost of caretaking etc. A fair and consistent approach must be taken.
- 9.2 Returning officers have the right to use any school or other public meeting room provided or maintained at public expense for election purposes. Heads of establishment are advised to discuss the returning officer's requirements with the returning officer to minimise any disruption to the normal working of the establishment. Wherever possible returning officers will do all they can to achieve this but, ultimately, if there is no alternative, returning officers have the legal right to use such publicly funded accommodation as they consider most appropriate.
- 9.3 Supplementary guidelines on these rights are attached.

10. Visits

- 10.1 As part of an election campaign, political parties may wish to visit a selection of residential and other establishments in their area. The premises selected may not be the same for each party. It is important to take a fair and consistent approach by seeing such visits on a countywide or area basis. It is important that any visit is not used to signify favour or support for any party or candidate. [See also paragraph 6.4.]
- 10.2 It is suggested that heads of establishments should allow one visit by each local candidate during the period up to the election, provided that it is pre-planned to ensure the minimum of disruption to the normal running of the establishment.

11. Publicity

- 11.1 Local authorities should pay particular regard to the legislation governing publicity during the period of heightened sensitivity before elections and referendums. It may be necessary to suspend the hosting of material produced by third parties, or to close public forums during this period to avoid breaching any legal restrictions.

- 11.2 During the period between the notice of an election and the election itself, local authorities should not publish any publicity on controversial issues or report views or proposals in such a way that identifies them with any individual members or groups of members. 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. It is permissible for local authorities to publish factual information which identifies the names, electoral divisions and parties of candidates at elections.
- 11.3 In general, local authorities should not issue any publicity which seeks to influence voters. However, this general principle is subject to any statutory provision which authorises expenditure being incurred on the publication of material designed to influence the public as to whether to support or oppose a question put at a referendum. It is acceptable to publish material relating to the subject matter of a referendum, for example to correct any factual inaccuracies which have appeared in publicity produced by third parties, so long as this is even-handed, objective and does not support or oppose any of the options which are the subject of the vote.
- 11.4 In addition to attracting personal votes, election candidates will be seeking maximum publicity for their activities. Executive directors will wish to give guidance to their heads of establishment as to what is acceptable, bearing in mind that a local campaign in a Parliamentary election is likely to be high profile and the activities of press and camera crews can be very intrusive. Such advice might include:
- (a) Clear guidance about authorisation for taking photographs inside and outside County Council premises [see also paragraph 6.4];
 - (b) Limits on numbers attending at any one time;
 - (c) Restrictions on interviews with staff and residents; and
 - (d) Tours to be escorted by a responsible officer.
- 11.5 The Council's Communications Team can assist in all dealings with the media and will on request give advice on briefing journalists, arranging interviews and escorting press and camera crews on tours of buildings.
- 11.6 A supplementary media protocol is attached.
- [Contact the Communications Team for advice on media relations.]
12. **Guest Speakers**
- 12.1 Individual candidates should not be invited as speakers or guests at any school or other function which may be organised for or on behalf of the Council unless all other relevant candidates have been offered a similar opportunity.

- 12.2 Any public or private debate/talk organised through a school or other Council premises as part of the curriculum should only be held if all political parties fielding candidates in the relevant area are given the opportunity to take part. Such events should be structured on an all-party basis.
13. **Members of Parliament**
- 13.1 As duly elected representatives, County Members of Parliament have the right to seek information and assistance from the Council in handling their constituency work and in dealing with local government issues in Parliament. In exchange, the Council seeks their support in representing the County Council's views in Parliament and to government ministers.
- 13.2 However, Members of Parliament should not use their position to obtain privileges from the Council in campaigning for themselves, for other candidates or for their political party. Once a general election has been called, staff must ensure that any general information made available to any MP is also provided to all the Parliamentary candidates for that constituency. All Parliamentary candidates (including MPs) should be treated even-handedly and given an equal platform.
14. **Government Ministers and Spokesperson**
- 14.1 When representing their national political party, Members of Parliament holding government office or designated as shadow/opposition spokesperson may visit any county council establishment provided prior approval is given by the Chief Executive or the relevant executive director. Prior notification of any such visit must be given to the Council's political group leaders through the Chief Executive's office. This applies equally outside an election period.

[Contact for the County Council's returning officer for additional guidance or advice.]

Guidelines on the use of Rooms for Election Meetings

1. Returning officers and candidates have special rights under the Representation of the People Act 1983 to the use of public rooms for the purpose of conducting elections and holding election meetings.
2. During the period between the calling of an election and the day preceding the date of poll, a candidate is entitled to hold a public meeting in furtherance of their candidature, at any reasonable time, free of charge, in any suitable room in any public school premises or meeting room. The school premises referred to are County schools, voluntary and foundation schools situated in the constituency or an adjoining ward or constituency. The candidates may not, however, use premises in the adjoining wards or constituencies if there is a suitable room in the premises of a school within their own ward or constituency which is reasonably accessible.
3. A candidate can also use any room, hall, gallery or gymnasium which is let for public meetings and which is maintained wholly or mainly out of public funds. The cost of preparing, warming, lighting and cleaning the rooms, in preparation for the meeting and for restoring the room to its usual condition after the meeting can be charged to the candidate or the person taking the room on their behalf. Any “caretaking” charge must exclude a hiring fee. In addition, the candidate can be required to defray the cost of any damage done to the room or the premises during the period of occupation.
4. A candidate’s rights do not authorise any interference in the hours during which the room in a school is used for educational purposes or any interference with the use of a meeting room being used by the occupier or under prior agreement for a letting for any other purpose. A local authority cannot refuse to allow a particular candidate to use a room on the grounds of its disapproval of the candidate’s views.
5. No person other than the candidate, their election agent or person authorised in writing by that agent, can incur expenses in holding public meetings with a view to promoting the election candidate.
6. A public meeting is a meeting which is open to the general public and not restricted to ticket holders only.
7. Every local authority is required to have available lists of rooms in school premises and elsewhere which candidates are entitled to use. This list should be kept by the (district) electoral registration officer for inspection by a candidate or their election agent at all reasonable hours.
8. Candidates are not permitted to use school premises as committee rooms to promote or procure the election of a candidate. The use of school premises is limited to use for public meetings only.

Control at Public Meetings

9. The ultimate means of keeping order at meetings is through common law - to exclude any person or persons causing a disturbance from that meeting by using reasonable force to eject them, if necessary. A person causing a disturbance or inciting others to act in a disorderly manner could be liable to a fine under Section 169 of the Representation of the People Act 1983.
10. The police have power to control public assemblies and restrictions do exist on the right to assemble peaceably to hold meetings to protect the rest of the public from undue disturbance. A public assembly means a collection of twenty or more persons in a place to which the public have a right of access.
11. The local police should be advised at the earliest opportunity of any public meeting which is likely to attract a substantial number of people. Their advice should be taken on any organisational considerations which ought to be taken into account.

[Contact the county returning officer for additional guidance or advice.]

Media Protocol

1. Background

1.1 This protocol sets out how we manage our media relations during the period immediately before elections are held or a referendum takes place. It reflects the requirements of the Government's Code of Recommended Practice on Local Authority Publicity 2011. The underlying principle is that publicity by local authorities should be:

- (a) Lawful;
- (b) Cost effective;
- (c) Objective;
- (d) Even-handed;
- (e) Appropriate;
- (f) Have regard to equality and diversity; and
- (g) Be issued with care during periods of heightened sensitivity.

1.2 It is issued for the guidance of both members and officers. The protocol is to be applied starting on the 25th working day (i.e. excluding weekends and bank holidays) before the day of election and concludes at the end of the day of election, or 28 days before a referendum is held.

2. County Council Elections and By-Elections

2.1 During the period starting 25 working days before a County Council election, news releases and statements to the media will only be issued by the Council in the following circumstances:

- (a) Where the issue is supported by a clear Council policy and is not viewed as a controversial matter. Controversial matters in the context of this protocol are matters defined as such by the Chief Executive, in consultation with the Head of Communications and Community Engagement.
- (b) Where there is a need to issue urgent information or to publicly clarify or explain a specific point.

2.2 During the period starting 25 working days before a County Council election, the Council will not provide quotes from members to the news media or other organisations, nor arrange publicity events/photo calls that involve members.

- 2.3 During the period starting 25 working days before a County Council by-election, no news releases and statements will be issued to the media that actively promote an election candidate or refer to policy or controversial matters directly affecting the electoral division with the vacancy.

3. District Council Elections

- 3.1 During the period starting 25 working days before an election to any or all of the district councils in Cambridgeshire, no news releases and statements will be issued to the media that actively promote an election candidate.

4. General Elections

- 4.1 During the period starting 25 days before a general election, news releases and statements to the media will only be issued by the Council in the following circumstances:

- (a) Where the issue is supported by a clear Council policy and is not viewed as a controversial matter; and
- (b) A need to issue urgent information or to publicly clarify or explain a specific point.

- 4.2 During the period of a general election, the Council will not provide quotes from members to the news media or other organisations, nor arrange publicity events/photo calls that involve members.

5. Referendums

- 5.1 Section 125 of the Political Parties, Elections and Referendums Act 2000 places a specific restriction on the publication by a local authority of material relating to a referendum under Part 7 of that Act during the period 28 days immediately before the referendum is held.

- 5.2 Regulation 5 of the Local Authorities (Conduct of Referendums) (England) Regulations 2007 prohibits local authorities from publishing material in the 28 days immediately before a referendum which expresses support for, or opposition to, a particular answer to a referendum question relating to the constitutional arrangements of the authority.

- 5.3 Regulation 15 of the Local Authorities (Referendums, Petitions and Directions) (England) Regulations 2000 (S.I. 2000/2852) prohibits local authorities from incurring expenditure to publish material which appears designed to influence people in deciding whether or not to sign a petition relating to the constitutional arrangements of the authority, or to assist others to publish such material.

[Enquiries should be addressed to the Head of Communications and Community Engagement.]

Principles and Protocols for Proactive Communications with Media and Social Media Outlets

Commented [NM1]: Entire chapter moved to G9, subject to the following tracked changes

1. ~~Background and~~ Introduction
 - 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 The Council's Communications 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, working with a team of senior communications managers responsible for overseeing News and External Affairs, Campaigns and Projects, Web and digital, and Internal Communications.
 - 1.4 To manage the demands of a 24-hour rolling news agenda, the Council's news desk is available from 9:00am to 5:00pm every working day, but provides an on-call emergency communications service for the media, senior officers and Members at other times.
 - 1.5 The Communications team will maintain a rolling, forward grid of media and campaign opportunities which are reviewed on a regular basis and are able to be adapted at short notice. This will be based on suggestions from across all service areas and committees linked to the Council's priority outcomes.
 - 1.6 Local authorities should ensure that publicity relating to policies and proposals from central government is balanced and factually accurate. Such publicity may set out the local authority's views and reasons for holding those views but should avoid anything likely to be perceived by readers as constituting a political statement, or being a commentary on contentious areas of public policy. It is the role of senior officers, as well as the Communications team where possible, to maintain an awareness of forthcoming potential external developments which have relevance to the Council's operations or priority outcomes (e.g. the publication of research reports and national Government announcements), and to ensure the authority is ready to react in advance or is able to respond as quickly as possible.

2. The Legal Framework

- 2.1 The unit operates within the terms and spirit of a legal framework set out in the Local Government Act 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.

- 2.2 The Act defines publicity as:

any communication, in whatever form, addressed to the public at large or to a section of the public.

- 2.3 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.

- 2.4 In the event of any potential conflict, the Monitoring Officer will be involved.

3. Principles

A number of fundamental principles underpin the work of the Communications team.

- 3.1 No surprises / Members first

- 3.1.1 All Members quoted or named on a release (e.g. Leader or Deputy Leader of the Council, Committee Chairs, opposition Spokes, Local Members, etc.), will be sent news releases, statements or responses before they are sent to the media, so that they have time to digest and consider the issue prior to them responding to any follow-up media enquiry.

- 3.1.2 For the majority of news releases, the team aims to give named Members 12 – 24 hours' notice of the issue of a release, on the understanding that these are not shared in advance of publication time.

- 3.1.3 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 to the media, and a communications officer will contact the relevant Member(s) in the most appropriate way to check receipt.

- 3.1.4 All other Members will be sent links to news releases at the same time that 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.

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- 3.1.5 It is recognised that the urgency of dealing with news stories at short notice will sometimes require telephone contact and out-of-hours contact to ensure a timely response. In order to ensure due respect for Members and officers involved, account will be taken to the level of seriousness of the story and the potential impact of the communication.
- 3.2 Members actively involved
 - 3.2.1 The content of all news releases relating to strategic issues or changes to Council policy will be shared and developed in draft stages with the Leader and/or appropriate Committee Chair.
- 3.3 Staff informed
 - 3.3.1 Media releases will be agreed with the lead officer or service director and approved by them prior to release. Staff should not learn of changes to their services or employment from the media, and so information about such changes will be shared with them in advance of, or at the same time as media issue. The Council's news releases will also be posted on the internet as soon as they are published.
- 3.4 Honest
 - 3.4.1 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 the team's counsel and respect its honesty of approach.
- 3.5 Accessible and timely
 - 3.5.1 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. 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.
- 3.6 Fair
 - 3.6.1 The Team 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 the Monitoring Officer.

3.7 Prompt and courteous rebuttal

- 3.7.1 Where there is a threat that inaccurate stories could damage the reputation of the Council, 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.

4. Work with Media

4.1 General

- 4.1.1 One of the most important aspects of dealing with and managing the media is being able to provide a prompt response to a query, question or interview request. The sooner the Council can respond and involve itself in the story, the greater the chance it has to influence it. This is especially important where the Council's reputation might be affected.
- 4.1.2 The team also wishes to influence the news agenda proactively by offering people for interview or providing case studies to illustrate topical issues.
- 4.1.3 The team will use links with departments and Council committees, as well as the forward plan to identify opportunities in advance, but still want/have to exploit on-the-day stories, particularly when there is breaking news or developing stories.

4.2 Answering media enquiries

- 4.2.1 The team 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, the reporter will be advised promptly. If the Communications team believes that a deadline is too tight, it will negotiate an extension if it can. Members and officers are encouraged to respond to the Communications unit as quickly as possible, as missing deadlines and being 'unavailable for comment' can harm the Council's reputation.
- 4.2.3 The team will not respond to media outlets posting questions to the Council on social media platforms, but will direct them to make their enquiries through the normal communications route (in or out of hours), where both the questions and answers can be logged and monitored, and appropriate Member or senior officer oversight can be obtained.
- 4.3 Approach to aggressive enquiries
- 4.3.1 The Communications team will answer journalists' enquiries courteously and will expect this to be reciprocated. However, if journalists are aggressive or rude, the team reserves the right to politely end a phone conversation and request that the enquiry is made by email.

- 4.4 Use of Freedom of Information requests (FOIs)
 - 4.4.1 The team 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. FOIs from media outlets or concerning contentious issues will be sent to the Communications team's leads for FOI enquiries, who will sense check proposed responses and prepare statements where necessary. The team works with the FOI team and departments to reduce the number of FOI requests by encouraging the proactive publication of key information to regular schedules.
- 4.5 Press releases
 - 4.5.1 The team will email press releases to all relevant local, regional and national media contacts and will update the distribution list when it becomes aware of new outlets or journalists. It will post releases online on the day of publication and will also post links to the story on the most appropriate social media channels.
- 4.6 Briefings
 - 4.6.1 The team 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.
- 4.7 Council meetings
 - 4.7.1 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 Communications 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.
 - 4.7.2 The media and public are free to film, record or photograph Council meetings, provided that they do not disrupt proceedings. The team encourages 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 it can suggest which part of the room they can film from. All Full Council and committee meetings held at the New Shire Hall offices are broadcast live and stored on the Council's YouTube channel.
- 4.8 Campaigns/Consultations
 - 4.8.1 The team will work with departments and Council committees to develop an annual campaigns and communications service plan to market and promote the Council's 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 will

be based on Citizen First: Digital First principles wherever possible.

4.9 Strategic issues

- 4.9.1 It is recognised that the Council faces a number of strategic issues across the authority as a whole, and the Communications team will maintain regular consultation with the administration to ensure that these are fully integrated in the communications strategy on a continuing basis.

5. Organisation

Information from the Council is organised in the following distinct ways.

5.1 News Releases

- 5.1.1 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 comment from all groups represented on committees in order of Member responsibility (Chair, Vice-Chair, other administration Spokes, opposition Spokes).
- 5.1.2 The Council's releases are targeted to the most relevant media outlets covering the geographical area or specialism, or to the 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.
- 5.2 Public Information Notices
- 5.2.1 Public information notices provide important, factual information about normal day-to-day activities of the Council and are both issued to the media proactively and published on the Council's website to share advice and provide data. 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.
- 5.3 News Statements
- 5.3.1 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.
- 5.4 Reactive Comments
- 5.4.1 On reactive communications, the team still works on the principle of 'no surprises' but will also look to be proportionate. Therefore, if approached for comment on a significant issue affecting the Council it will liaise with the most appropriate officer to develop the answer and highlight to relevant members.

Approval will only be sought on the most politically sensitive issues from the most appropriate Councillor (usually the Leader or Deputy Leader, or the most appropriate Committee Chair/Vice-Chair).

- 5.4.2 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/Vice-Chairs, opposition Spokes or Local Member(s) where appropriate.
- 5.4.3 If the team is approached for comment on an ongoing issue where previous statements have been approved, or on a purely operational matter (dates, times, confirmation of issues, confirmation of responsibilities, follow up on proactive media releases or campaigns, etc.), it will not usually involve Members.
- 5.5 Campaigns
 - 5.5.1 Behaviour change is one of the primary functions of local government communications, helping to improve the quality of life for Cambridgeshire people, and helping the Council to deliver its services or to run more effectively, as well as save taxpayer's money.
 - 5.5.2 The Communications team will develop an annual plan of proactive campaigns to support the Council delivering its ambitions through behavioural change campaigns, which it will support in detail. These will be agreed with the appropriate service department and committee Chair/Vice-Chair, or the Leader/Deputy Leader of the Council and the Chief Executive.
 - 5.5.3 These campaigns will be based on behavioural science insight and will be appropriately resourced, targeted and monitored. In order to run these successfully, they will be limited to areas of greatest priority for the Council. They may be constant (e.g. fostering or social work recruitment), annual (e.g. vaccination uptake), or related to specific issues (e.g. publicising the census or elections).
 - 5.5.4 Other campaigns throughout the year may be supported by the team in a 'light touch' manner (e.g. retweeting/sharing materials on the Council's social media platforms from organisations whose aims support those of the Council, or highlighting these campaigns to Council staff and stakeholders through internal routes).
 - 5.5.5 The Leader, Deputy Leader, Committee Chairs or Vice-Chairs will act as the lead spokes for any campaign launch, or will be quoted in campaign review materials. Professional comment (e.g. around the specific need for more foster carers) may come from the lead officer.
- 5.6 Political quotes and named media contacts
 - 5.6.1 Any quotes on matters relating to the development of Council policies will always come from the Leader or Deputy Leader of the Council, or the most

appropriate Committee Chair / Vice-Chair. This principle will also apply to any letters written for publication.

- 5.6.2 Where appropriate, quotes from other members will be included in a news release. This may be the Chair of the Council on civic matters, or the Leader / Deputy Leader of the Council on matters which relate to the leadership of the Council, but will most often be the Chair or Vice-Chair of the relevant committee with responsibility for the area concerned.
- 5.6.3 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 those of the political leads, and they will be sent the release prior to or simultaneously with distribution to the local media.
- 5.6.4 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.
- 5.6.5 Senior officers will approve the technical content of the release, but any quotes should be cleared with the named person before use.
- 5.6.6 In the event of situations where an appropriate Member's quote is needed and the Member is unavailable, the appropriate Group Leader will be contacted for clearance. Officers will not normally approve Members' quotes except where a time constraint makes this inevitable, in which case at least one member of the Council's Corporate Leadership Team (CLT), in addition to the Communications team, must approve the quote.
- 5.6.7 In all cases, the names and contact details for the Spokes of all political groups on the committee will be included on press releases, in order of committee responsibility (Chair, Vice-Chair, other administration Spokes, opposition Spokes).
- 5.6.8 The relevant departmental/officer contact will also be included, followed by that of the Communications team's main number and out of hours contacts.
- 5.6.9 The Chair of the Council (and in their absence, the Vice-Chair) has an important part to play in ceremonial events carried out on behalf of the Council. Their activities will be published and publicised as appropriate.
- 5.6.10 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 spokes when the Council's reputation can be enhanced by use of an expert, such as the Director of Public Health talking about health issues.

- 5.6.11 In both cases above, the Communications team will make the appropriate Chair/Vice-Chair aware.
- 5.7 Speaking on behalf of the Council
- 5.7.1 Officers who are directly approached by a member of the media for a comment on Council activities should not answer questions themselves. The journalist should be referred to the Communications team, which will manage the response and gain political sign off where appropriate.
- 5.7.2 Councillors who are directly approached by a member of the media should refer the enquiry on to the Communications team, or alternatively highlight the approach to the team before they answer to discuss their response. This will enable support to be given around providing accurate and up to date information, and will guard them against breaching any ongoing proceedings. If they plan to answer directly, they should make use of the guidance contained in this protocol about ensuring accuracy, confidentiality constraints, logging and recording both the approach and their answer. They should then advise the Communications unit at the earliest opportunity in case of media follow-up, to ensure consistency in providing answers to other media outlets.
- 5.7.3 Officers and Councillors who have contact with the media in a personal capacity or as members of non-Council related organisations must not refer to their Council posts and must make it clear to the journalist concerned that they are speaking in a personal capacity or on behalf of the non-Council related organisation.
- 5.7.4 Trade union officers, who are employees of the Council and who have contact with the media in their trade union or political capacity, must make clear that they are speaking as a union or political group representative.
- 5.8 Social Media
- A social media protocol, which is published on the Council's website, sets out the Council's general approach to the use of social media channels.
- 5.8.1 The Council will use the most appropriate social media channels to promote its news or key campaign messages, 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.
- 5.8.2 The team would remind staff and Members who use social media that reporters and the public will view their posts and use them in stories. The team 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.

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- 5.8.3 It is recognised that there is a rapidly changing media landscape whereby most people receive their news through social media and where the best impact is made through speed of response. The Communications team will seek to identify potential issues and stories in advance where possible, to enable social media posts in real time where possible, but reflecting the requirements of this protocol.
6. Protocols
- 6.1 Issuing of agendas
- 6.1.1 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.
- 6.2 Media attendance at meetings
- 6.2.1 Members of the media must be provided with any additional papers which may have been issued on the day.
- 6.3 Motions and questions
- 6.3.1 Motions and questions from individual Councillors shown on the agenda will not be publicised through Council news releases in the interests of fairness.
- 6.4 Reporting debates
- 6.4.1 If a member of the media has not attended a meeting and wants to find out what was said during a debate at a meeting that wasn't broadcast, officers will direct them to the appropriate Committee Chair directly and offer to provide opposition contacts. Staff from the Communications team will report back to the media on any decision/recommendation reached.
- 6.4.2 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.
- 6.4.3 Live broadcasting from Council meetings is permitted and the Council itself live streams all Full Council and committee meetings on its YouTube channel, which the Communications Team will publicise.
- 6.5 Embargoes
- 6.5.1 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. the announcement of an award or additional funding).

- 6.5.2 Embargoes are not legally enforceable and are adhered to by general local agreement.
- 6.6 Communications during the pre-election period
- 6.6.1 The Council follows the guidelines set out in the Code of Recommended Practice on Local Government Publicity, which states:
- 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.
- 6.6.2 No Councillors will be quoted in any releases during the period outlined above when the Council itself is holding an election or if they are involved in elections for other authorities.
- 6.6.3 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.
- 6.6.4 Any prospective candidates (parliamentary, county and district) requesting visits to Council premises must always be treated equally. Council staff should not be included in any photographs that candidates might arrange, to avoid any impression of one party being favoured over another. Council offices should not be used to host political events during this time, unless these premises are available for general hire.
- 6.6.5 Further guidance to officers and members is available from the Council's document on Election Guidance agreed with Chief Officers and Group Leaders before the May 2021 elections.
- 6.7 Letters for Publication
- 6.7.1 The Communications team will, in consultation with the appropriate service director or Committee Chair, consider drafting replies to letters and articles about the Council or its services that appear in the printed or online media 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.
- 6.7.2 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.
- 6.7.3 The Council's Officers' Code of Conduct ([Chapter G3 of the constitution](#)) 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 in their position as a Council employee, they must first obtain permission from their senior manager or Head of Service.

6.8 Dealing with Confidential Items

6.8.1 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.

6.8.2 The Communications team will always seek to give the outcome of an issue taken in confidential session, 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.

6.8.3 In these circumstances, officers should liaise with the department concerned before deciding the best course of action to follow and clear the approach with the Monitoring Officer and Chair of the relevant committee.

6.9 Emergency Communications

6.9.1 The 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.

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

6.9.3 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.

6.10 Media / Social Media Training

6.10.1 In an organisation comprising 61 elected Members and approximately 4,000 employees it would be impossible and impractical for all communications from or about the Council to be produced and issued by the Communications team.

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

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

6.11 Fostering and Adoption

- 6.11.1 Any media requests relating to filming/imagery of children in care requires director sign off. In no case will the Council allow external media interviews or any filming of any child in care who is under the age of 18 – although the team may develop case studies following interviews, using anonymised quotes.
- 6.11.2 In all cases with either partner videos or media interviews, foster carers must give their consent to be involved in the media/video case study process, and be clearly informed where any materials are going to be used and for how long.
- 6.11.3 The supporting Social Worker for that foster carer must also be informed and then a briefing must take place before any planned media activity.
- 6.11.4 A signed consent form will also be completed detailing all of this information, by external parties who work on the Council's behalf and by the Council.

7. Communication on Partnership Issues or Projects

- 7.1 Partnership working is a common feature of the Council's activities. It works closely with many public sector partners, in particular Peterborough City Council, the Cambridgeshire and Peterborough Integrated Care Board and other local statutory bodies.
- 7.2 It remains the independent decision of the Council to take part or not to take part in joint communications and all partners should be informed in advance that the authority's agreement should be carefully sought and obtained in relation to any joint communications.
- 7.3 Where joint releases are issued (for instance around a joint response to a public health issue affecting the area, or joint funding announcements from the Government), the team will use jointly branded communications headed paper and agree at the outset who the lead spokes will be. Where this is a project with another local government partner, it is likely to involve quotes from the lead spokesperson for each authority. Media approaches for interview will be directed to the most appropriate place or spokes.
- 7.4 Communications protocols must be established with private sector 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 department.
- 7.5 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:

- The Council's role or contribution is identified appropriately and information to media or local residents includes quotes from named

Council Members or officers.

- The 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 Council committee Chair will be consulted as usual but may not be quoted where it is agreed that the 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.

8. Greater Cambridge Partnership (GCP)

8.1 Where the GCP is concerned, agreed communication protocols are already in place, as agreed by the GCP Executive Board on which all partners are represented.

8.2 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 the deadline for a response.
- Pro-active and re-active statements will, as far as possible, be seen and approved by the GCP Executive Board Chairperson/Vice-Chairperson who will act as talking heads.

8.3 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 a 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 GCP, in good faith, and adhering to the communications principles set out in their strategy, ensuring the GCP Executive Board Chairperson/Vice-Chairperson and relevant officers are kept informed.

8.4 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.

9. Cambridgeshire and Peterborough Combined Authority
- 9.1 The Council works closely with the Combined Authority in a number of ways, both as a partner organisation involved in the overarching development of public services for people in Cambridgeshire, including transport, education and skills and economic development, and also through being commissioned to deliver specific projects to make infrastructure improvements funded by the Combined Authority.
- 9.2 Both organisations will work on the basis of ‘no surprises’ on communications issues that affect them both, sharing approaches from media outlets and proposed responses in advance.
- 9.3 Pro-active communications for projects funded by the Combined Authority, but delivered by the Council, will be planned and devised in consultation between the two authorities via a communications plan which will identify such things as agreed key messages, use of spokespeople, and which organisation will take the lead on issuing statements, putting forward members or officers to be quoted/used for interviews.
 - Communications plans for funded projects will also clearly identify the communications involvement of any external contractors, who will not issue independent communications on projects without the approval of the lead authority’s communications team.
 - Spokespeople on projects undertaken by the Council on behalf of the Combined Authority will largely be the chair (or vice-chair in their absence) of the relevant committee, unless previously agreed.
 - Pro-active and re-active statements on projects will, as far as possible, be seen and any relevant quotes approved for the Council by the chair, or the vice-chair in their absence, of the relevant committee, and highlighted to the Combined Authority’s Communications team in advance of issue.
- 9.4 Communications on overarching strategy or policy involving or affecting both organisations, after approval by the relevant Chief Executives, will be seen and quotes/direction approved by the Mayor of the Combined Authority and the Leader or Deputy Leader of the Council, who will act as lead spokespeople for interview.
- 9.5 To maximise opportunities or to avoid communications vacuums, there will inevitably be occasions when a statement or response needs to be issued dynamically or swiftly to a deadline. It is recognised that, on such occasions, these will be approved by the Chief Executive of either the Combined Authority or the Council and their Communications lead, but will be shared with each other before issue.

- 9.6 On occasion, it will be relevant for the Council to issue a communication which is linked to Combined Authority activity outside project work or major government announcements (for example, referencing activity in a committee report which is proactively publicised). In this event, the Council should liaise with the Combined Authority's Communications Manager or Programme Director prior to publication.
10. Communications Support for Schools
- 10.1 Practical support for schools is offered in times of particular difficulties or success. This is a traded service primarily for local authority maintained schools 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 and news conferences. However in the event of a significant issue the team will work with Academy Trusts to support schools in times of major crisis and where the reputation of the Council as the local education authority would otherwise be put at risk.
- 10.2 In general terms:
- The content of all media releases or statements will be cleared in advance with the Headteacher and, if possible, the Chair of Governors (or where necessary the head of the academy trusts).
 - 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 Chair of the Children and Young People Committee and the director with responsibility for Education will be kept fully informed on media issues affecting schools in line with the 'no surprises' principle and statements will be shared with the local Member as they are issued.
 - Where schools are not buying into the traded service, communications support will still be offered at an agreed hourly rate.

Members' Allowances Scheme

Commented [NM1]: Entire chapter moved to F4, subject to the following tracked changes.

Changes to the figures in this chapter are in line with the increase recommended by the Independent Remuneration Panel that was agreed by Full Council, and is equal to the increase agreed for the P&M Pay Scale, grades P4-P6.

1. Scheme of Allowances

1.1 Elected members of Cambridgeshire County Council may claim the following allowances as specified in this scheme:

- (a) Basic allowance;
- (b) Special responsibility allowances; and
- (c) Travel and subsistence allowances.

Financial loss allowance is not available to councillors.

1.2 The basic allowance and special responsibility allowances will be paid in equal monthly instalments and will be subject to tax and national insurance deductions where appropriate.

1.3 The basic allowance, each of the special responsibility allowances and the co-optees' allowance will be increased annually based on the Professional and Management Pay Scale, grades P4-P6 for a period up to 10 May 2025. After this period, the Scheme of Allowances shall be reviewed again by an Independent Remuneration Panel.

1.4 The Scheme of Allowances will take effect from 1 April 2023³⁴.

2. Basic Allowance

2.1 The basic allowance is ~~£11,565.51~~ £11,854.65 per annum.

3. Special Responsibility Allowances

3.1 No member may receive more than one special responsibility allowance. No allowances other than the basic allowance and special responsibility allowances are payable.

Role	Allowance
Group Positions	
Leader of the Council	£34,783.86 <u>£35,653.46</u>
Deputy Leader of the Council	£22,608.85 <u>£23,174.07</u>
Leader of the Main Opposition	£11,478.31 <u>£11,765.27</u>
Leader of Minor Opposition (4 seats or more)	£3,477.84 <u>£3,564.79</u>

Service Committees	
Policy and Service Committee Chair	£20,870.00 <u>£21,391.75</u>
Policy and Service Committee Vice Chair	£10,435.53 <u>£10,696.42</u>
Regulatory Committees	
Audit and Accounts Committee Chair	£8,695.96 <u>£8,913.36</u>
Pension Fund Committee Chair	£8,695.96 <u>£8,913.36</u>
Planning Committee Chair	£8,695.96 <u>£8,913.36</u>
Other Roles	
Combined Authority Board Member	£3,478.04 <u>£3,564.99</u>
Combined Authority Overview and Scrutiny Committee Member	£1,738.97 <u>£1,782.44</u>
Combined Authority Audit and Governance Committee Member	£1,738.97 <u>£1,782.44</u>
Adoption/Fostering Panel Member	£140 per day and £70 per half day meeting

- 3.2 Where a councillor in receipt of a special responsibility allowance fails to attend at least 50% of the meetings for which that allowance is paid in any six month period, that councillor shall be invited to repay an appropriate sum of the allowance received during that period.
- 3.3 The maximum number of special responsibility allowances payable at any one time shall not exceed 50% of Council members.
4. Travel expenses
- 4.1 Travel by private vehicles will be reimbursed at the same rates as those used by officers.
- 4.2 Where a councillor’s normal place of residence is outside of Cambridgeshire, travel to council offices within Cambridgeshire will be paid from the point of entry to the county and not from the councillor’s home.
- 4.3 Parking fees and public transport fares will be reimbursed at cost on production of a valid ticket or receipt. In the case of travel by rail, standard class fare or actual fare paid (if less) will be reimbursed.
- 4.4 Travel allowances are not payable for journeys undertaken outside the county, other than for authorised attendance on behalf of the Council at those meetings under Section 10 (below) that are held outside the county. International travel shall require approval in advance from the Chief Executive in consultation with the Leader of the Council.
- 4.5 Taxi fares will only be reimbursed on production of a valid receipt. Taxis should only be used where use of an alternative is not available or if the following conditions are applicable:

- (a) There is a significant saving in official time;
- (b) The councillor has to transport heavy luggage or equipment; and/or
- (c) Where councillors are travelling together, and it is therefore a cheaper option.

4.6 Travel expenses will be reimbursed for any journey undertaken where the councillor was undertaking approved duties (see Section 10 'Approved Duties' below). Travel expenses will only be reimbursed if claimed within two months.

5. Subsistence expenses

- 5.1 Overnight hotel accommodation must be booked through Democratic Services who will ensure that accommodation is booked at the appropriate market rate. Higher rates of accommodation will only be booked where it is clearly in the County Council's interest and formal approval has been given in advance by the Democratic Services Manager. Any other reasonable and unavoidable costs related to overnight stays will be reimbursed on production of a receipt.
- 5.2 The cost of meals purchased while undertaking Council business cannot be claimed for, except where the member is attending an event such as a conference and meals are not provided, or where the member is required to stay overnight.
- 5.3 The Democratic Services Manager shall be authorised to allow claims to cover the actual cost of the meals up to a reasonable maximum (£10 for lunch, £15 for an evening meal) and upon production of a receipt.

6. Child and Dependent Carers' Expenses

- 6.1 Councillors with care responsibilities in respect of dependent children under 16 or dependent adults certified by a doctor or social worker as needing attendance will be reimbursed, on production of valid receipts, for actual payments to a registered or professional carer. Where care was not provided by a registered or professional carer but was provided by an individual not formally resident at the member's home, a maximum hourly rate based on the Real Living Wage will be payable.
- 6.2 Dependents' and carers' expenses will only be reimbursed if incurred where the councillor was undertaking approved duties (see section 10 'Approved Duties' below).

7. Parental Leave

- 7.1 All councillors shall continue to receive their basic allowance in full for a period up to six months in the case of absence from their councillor duties due to leave related to maternity, paternity, adoption, shared parental leave or sickness absence.
- 7.2 Councillors entitled to a special responsibility allowance shall continue to receive their allowance in full for a period of six months, in the case of absence from their councillor

duties due to leave related to maternity, paternity, adoption, shared parental leave or sickness absence.

7.3 Where for reasons connected with sickness, maternity leave, adoption leave, paternity leave or shared parental leave a councillor is unable to attend a meeting of the Council for a period of six months, a dispensation by Council can be sought in accordance with Section 85 of the Local Government Act 1972.

7.4 If a replacement to cover the period of absence under these provisions is appointed by Council or the Leader (or in the case of a party group position the party group), the replacement shall be entitled to claim a special responsibility allowance pro rata for the period over which the cover is provided.

7.5 If a councillor stands down, or an election is held during the period when a councillor is absent due to any of the above and the councillor is not re-elected or decides not to stand down for re-election, their basic allowance and special responsibility allowance will cease from the date they leave office.

8. Stationery

8.1 No claims can be made for the cost of printer cartridges, paper, envelopes, stamps, pens, or other stationery. Nor are these to be provided free of charge by the Council.

9. Co-opted Members – Financial Loss Allowance

9.1 A financial loss allowance may only be paid to non-elected members of committees or sub-committees. Co-opted members serving on committees shall be eligible to claim a ~~£54.86~~ £56.23 flat fee per half day attended in addition to travel and subsistence allowances. The Co-opted Member of the Audit and Accounts Committee will receive ~~£1,558.20~~ £1,627.16 per annum and travel expenses.

9.2 The fee shall also be paid for attendance at appropriate training events and seminars. Where an event is scheduled to last for more than a whole day, there shall be some discretion for making a higher payment than the usual rate, where this is considered reasonable. The Democratic Services Manager shall be authorised to exercise such discretion.

10. Approved duties

10.1 Subject to the provisions listed above, travel, subsistence and dependents' and carers' expenses incurred when undertaking duties matching the following descriptions may be claimed for:

(a) Attendance at meetings of Full Council and any committees, working groups or other bodies of the Council.

(b) Attendance at other meetings clearly related to their role as a councillor.

- (c) Attendance at Council premises for the purposes of taking part in formal briefings, training sessions or attending pre-arranged meetings with senior officers to discuss the business of the Council.
- (d) Representing the Council at external meetings, including parish and town councils and those of voluntary organisations where the member is there on behalf of the Council.
- (e) Attendance at events organised by the Council and/or where invitations have been issued by officers or councillors (including Chair's events and other corporate events).
- (f) Attendance at meetings/events where the member is an official Council representative or requested by the Leader or the relevant Policy and Service Committee chair.
- (g) In respect of dependents' and carers' expenses only, undertaking general councillor responsibilities including surgeries.

10.2 Expenses incurred as a result of attendance at political group meetings or other party political events may not be claimed for.

11. Renunciation of Allowances and Part Year Entitlements

11.1 A councillor may elect to forego any part of their entitlement to an allowance under this scheme by providing written notice to the Monitoring Officer.

11.2 If an amendment to this scheme is made which affects payment of an allowance in the year in which the amendment is made, then in relation to each of the periods:

- (a) Beginning with the year and ending with the day before that on which the first amendment in that year takes effect; or
- (b) Beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year.

the entitlement to the allowance will be to the payment of such part of the allowance as it has effect during the relevant period as bears to the whole the same proportion as the number of days in the period bears to the number of days in the year.

11.3 Where the term of office of a councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that councillor to a basic allowance or special responsibility allowance shall be to the payment of such part of the basic allowance as bears to the whole the same proportion as the number of days during which their term of office subsists bears to the number of days in that year.

11.4 Where this scheme is amended as mentioned in 10.2 and the term of a councillor does not subsist throughout a period mentioned in 10.2, the entitlement of any such councillor to a basic allowance or special responsibility allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days during which their term of office as a councillor subsists in that period bears to the number of days in that period.

11.5 The Council has the power to withhold payment of all allowances if a member (or co-opted member) ceases to be a member (or co-opted member) or ceases to be entitled to receive an allowance for a period. The authority may require that such part of the allowance as related to any such period be repaid to the authority.

12. Taxation

12.1 Allowances are liable for Income Tax and National Insurance contributions.

12.2 Subsistence allowances for meetings or events held on the New Shire Hall site are classed as emoluments for Income Tax and National Insurance contributions. This includes either sums claimed or meals provided by the authority. Meals provided or claimed for meetings in locations other than New Shire Hall are not taxable.

12.3 The Council will record all meals provided at New Shire Hall and will remit the tax due to Her Majesty's Revenue and Customs at the end of the year. Members are asked to note meals taken on the New Shire Hall site on their claim forms. No direct taxation will be charged to individual members for those meals taken at New Shire Hall. Members are encouraged to take advantage of the meals provided at New Shire Hall whenever possible.

12.4 Members can claim some deductible expenses against tax for costs incurred in acting as a member for which no reimbursement is received from the authority:

- (a) Travel by car - where a member uses their own car for the performance of duties, but does not receive a mileage allowance, e.g. for a non-approved duty, the Tax Office may grant a deduction on the costs incurred based on 50% of the Council's approved rate. Members would need to keep records of their mileage on non-approved duties in order to claim this deduction on their tax return.
- (b) Travel by public transport - where a member incurs additional costs for which no allowance can be obtained from the authority, these costs can be claimed as a deductible expense.
- (c) Where regular payments are made to an assistant to provide secretarial support to a member for any support services which are not provided by the authority.
- (d) Where money is spent on the hire of rooms for surgeries or public meetings providing they are not for party political purposes.

(e) Where additional household expenses are incurred (light, fuel etc.) relating to those parts of members' homes that are used for duties as members, Her Majesty's Revenue and Customs will accept a standard deduction of £120 per year to cover these costs.

- 12.5 Any items claimed should be itemised on the tax return - Her Majesty's Revenue and Customs may require evidence and details of the expenditure incurred. Refunds for non-claiming tax allowances can be made for up to the previous six years.

Management Structure

Commented [NM1]: Entire chapter moved to G1, subject to the following tracked changes

1.1 The senior management structure of the Council comprises the following officers:

- Chief Executive (statutory Head of Paid Service)
- Executive Director of Finance and Resources (statutory Section 151 Officer)
- Executive Director of Strategy and Partnerships
- Executive Director of for Children, Education and Families (statutory Director of Children's Services)
- Executive Director for Adults, Health and Commissioning (statutory Director of Adult Social Services)
- Executive Director of Place and Sustainability
- Director of Public Health (statutory director of Public Health)
- Service Director: Legal and Governance (statutory Monitoring Officer)
- Service Director: Human Resources

1.2 These officers together comprise the Corporate Leadership Team (CLT) for the Council. In the absence of the Chief Executive, one of the executive directors will be designated on a rotating basis and will then exercise the functions of the Chief Executive.

1.3 The [responsibilities-delegated authorities](#) of the Chief Executive, the Executive Director of Finance and Resources (statutory Section 151 Officer), the Service Director: Legal and Governance (statutory Monitoring Officer), and the executive directors are summarised in Article 11 of the Constitution, and delegated authorities are set out in [the Scheme of Delegation to Officers, Part 3D Chapter G2 \(Scheme of Delegations to Officers\)](#).

Management Structures of the Council's Directorates

2. The management structures of the Executive Director of Finance and Resources, the Service Director: Legal and Governance, the executive directors and directors are set out below, with most functions headed by a service director or assistant director:

2.1 Executive Director of Finance and Resources

- (a) Statutory Section 151 Officer functions
- (b) Corporate Finance, including Treasury and Debt Management

- (c) Professional Finance, including Finance Business Partnering
- (d) Procurement and Commercial
- (e) Property and Facilities Management
- (f) Customer and Digital Services, including Customer Services
- (g) Local Government Shared Services Lead Authority functions.

2.2 Service Director: Legal and Governance

- (a) Statutory Monitoring Officer functions
- (b) Legal Services
- (c) Internal Audit and Risk Management
- (d) Information Governance and Data Protection
- (e) Democratic and Member Services

2.3 Executive Director for Children, Education and Families

- (a) Children's Social Care and Safeguarding (including statutory Director of Children's Services)
- (b) Education
- (c) Fostering, Adoption and Kinship Services
- (d) Special Educational Needs and Disability Services

2.4 Executive Director for Adults, Health and Commissioning

- (a) Adult Social Services and Safeguarding (including statutory Director of Adult Social Services)
- (b) Commissioning (Children's and Adult Social Care and Health)
- (c) Learning Disability Partnership

2.5 Executive Director of Place and Sustainability

- (a) Highways and Transport
- (b) Planning
- (c) Natural Environment, Heritage and Archives

- (d) Climate and Energy Services
- (e) Digital Connectivity
- (f) Regulatory Services

2.6 Executive Director of Strategy and Partnerships

- (a) Legal and Governance (including Statutory Monitoring Officer line management)
- (b) Democratic and Member Services
- (c) Internal Audit and Risk Management
- (d) Information Governance and Data Protection
- (e) Communities, Employment, Skills, Libraries and Community Safety
- (f) Human Resources and Learning and Development
- (g) Health and Safety
- (h) Emergency and Business Continuity Planning
- (i) Policy, Insight and Programme
- (j) Equality, Diversity and Inclusion

2.7 Director of Public Health

- (a) Statutory Director of Public Health
- (b) Public Health and population wellbeing
- (c) Health Improvement
- (d) Public health advice on health and care services
- (e) Health protection
- (f) Joint Health and Wellbeing Board support
- (g) Non-voting member of the Cambridgeshire and Peterborough Integrated Care System

3. The Chief Executive may vary the posts designated to comprise the CLT, but the Staffing and Appeals Committee shall make any new permanent appointments to executive director roles so designated. Assistant director, service director and head of service level positions will be appointed by the Chief Executive or executive

directors, in accordance with the provisions of [the Council's Officer Employment Procedure Rules Chapter G4 \(Officer Employment Procedure Rules\)](#).