

## Committee Model Working Group – Friday 9<sup>th</sup> September 2023 Minutes

Attendees: Councillor Jenny Bartle (Chair), Councillor Geoff Gollop (Vice-Chair) Councillor Don Alexander (substituting for Councillor Beech), Councillor Lorraine Francis, Councillor John Goulandris (substituting for Councillor Eddy), Councillor Gary Hopkins, Councillor Kent, Councillor Steve Pearce, Councillor Guy Poultney, and Councillor Tim Rippington (substituting for Councillor Holland).

### 1. Welcome, Introductions, and Safety Information

The Chair welcomed those present and introductions were made.

### 2. Apologies for absence

Apologies were received from;

- Councillor Eddy, substituted by Councillor Goulandris
- Councillor Beech, substituted by Councillor D Alexander
- Councillor Holland, substituted by Councillor Rippington
- Councillor Bennett
- Councillor Makawi.

### 3. Declarations of interest

There were no declarations of interest.

### 4. Minutes from the previous meeting and decisions log

The minutes from the meeting on 28<sup>th</sup> July 2023 were approved as a correct record.

Members noted the decision log.

### 5. Public Forum

The following public forum was received for the meeting.

| Questions |                 |
|-----------|-----------------|
| Number    | Name            |
| PQ01      | David Redgewell |
| PQ02      |                 |
| PQ03      | Dan Ackroyd     |

| Statements |                 |
|------------|-----------------|
| Number     | Name            |
| PS01       | Clive Stevens   |
| PS02       | Dan Ackroyd     |
| PS03       | Suzanne Audrey  |
| PS04       | David Redgewell |

The following information was provided in response to supplementary questions and comments made in the public forum statements:

- The arrangements relating to responses to Freedom of Information requests were statutory and therefore not expected to change under the Committee system. The role of the Monitoring Officer was clearly defined both in the statutory framework and the Council's Constitution. Without this post, Local Authority decision making would carry far greater risk.
- A comprehensive training programme was provided for new and returning Councillors following each election. This included sessions on the Code of Conduct and Member Officer Protocol, which could be repeated as required.

**RESOLVED:** That the public forum be noted.

## **6. Member Code of Conduct**

The Director of Legal and Democratic Services introduced the report stating that the recommendation was that the Council adopted the LGA's model Code of Conduct, in line with the majority of Local Authorities. He went on to remind Members that the Values and Ethics Subcommittee had responsibility for recommending the proposed changes to the Member Code of Conduct to Full Council. Therefore, the CMWG were being asked to make any comments on the revised document which would be relayed to the Values and Ethics Sub Committee at their meeting on 25<sup>th</sup> September 23.

Members were advised that the key changes between Bristol City Council's existing and model Code of Conduct included:

- The LGA Code of Conduct contained definitions in a number of areas, including bullying and harassment, which could be useful additions to Bristol's guidance.
- The LGA recommended that the Code of Conduct be reviewed annually, rather than every four years.

Members discussed both Codes of Conduct, and the following points were raised;

- The LGA model Code of Conduct was a useful document and should be recommended to the Values and Ethics Sub Committee for adoption by Bristol City Council, subject to consideration of the wording in a number of areas, as set out below.
- The comments made in the public forum statement from Clive Stevens in relation to Councillors not being permitted to bring the Council into disrepute required further discussion by the Values and Ethics Sub Committee. In many instances Councillors must be free to express their views unfettered.
- Subjective wording must be avoided in the Code of Conduct where possible. The standards set out must be clear, fair and realistic.
- The Group would like the Value and Ethics Subcommittee to consider the references to Scrutiny throughout the LGA Model Code of Conduct, given that this would now occur within Committees rather than as a separate function.

**RESOLVED:** That the comments from the Committee Model Working Group in relation to the LGA's model Code of Conduct be relayed to the Values and Ethics Sub Committee.

## 7. Member Officer Protocol

The Director of Legal and Democratic Services introduced the report and reminded Members that the Value and Ethics Subcommittee also has responsibility for signing off the Member Officer Protocol and the purpose of the report was to gather feedback from the CMWG to help inform their discussions. Councillors made the following comments/recommendations:

- **Paragraph 1.3.** The reference to the 'executive' had been included in error and would be amended.
- **Paragraph 4f.** The wording regarding Councillors advocating for their constituents should be changed to state as far as possible.
- **Paragraph 10.** The two sections split out between officers and members had the same indexing at the start which can cause confusion. This should be amended. Where there is mention of confidentiality, Members would like officers to make it clear in correspondence or verbal communication where something is confidential or not yet in the public domain. Additionally, Members were reminded that if they have any concerns regarding the conduct of officers, they should raise this in the first instance with the officer's line manager. If a satisfactory conclusion is not reached, then the Member should escalate to the Head of Human Resources, or the Monitoring Officer.
- **Paragraph 10b.** Members requested this wording be amended to refer to equality and inclusion.
- **Paragraph 10i.** Officers stated that 'Working in a Political Environment' training is delivered regularly to officers and had to date, been provided to over 1000 attendees.
- **Paragraph 21b.** The wording should be changed to 'where you feel an officer is best suited to respond'. This could be due to technical knowledge being required, or a press query etc. It was not intended to prevent Members from responding to constituents where appropriate.
- **Paragraph 21c.** Officers clarified that this paragraph meant that officers would not share information from a Councillor, with other Councillors, without consent and agreed this would be amended in the final report.
- **Paragraph 30.** Vice-Chairs is misspelled and will be corrected.
- **Paragraph 31.** Members recommended changing 'unauthorised' to 'unlawful', so it is clearer. Members also wanted to know why exposure to risk of legal action was only aimed at Members and not officers. The Monitoring Officer agreed to review this.
- **(Former) Paragraph 34.** The Committee were advised that the Scrutiny section had been deleted from the revised Member Officer Protocol because the function would no longer be delivered in the same way, but all relevant points would be included in the new Policy Committee Procedure Rules.

**RESOLVED: That the comments from the Committee Model Working Group in relation to the Members Officer Protocol tracked changes version be relayed to the Values and Ethics Sub Committee.**

## 8. Local Decision Making - Verbal update from the Chair of the Area Committees Working Group

Councillor Kent provided a brief update to advise that the Working Group were meeting with key senior officers over the coming weeks and were preparing a number of options that would be suitable for enhanced local decision making.

Councillor Kent as Chair of the Working Group agreed to provide a written update for future meetings, wherever possible.

**9. Work Programme - for noting**

The Committee noted the work programme.