

NON-CONFIDENTIAL



Borough of Tamworth

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AUDIT AND GOVERNANCE COMMITTEE

19 June 2013

Dear Councillor

A meeting of the Audit and Governance Committee will be held in **Committee Room 1 - Marmion House on Wednesday, 19th June, 2013 at 6.00 pm**. Members of the Committee are requested to attend.

Yours faithfully

A handwritten signature in black ink, appearing to be 'A. G. ...', written over a circular stamp or mark.

A G E N D A

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- 6 Proposed Changes to the Constitution and Scheme of Delegation (Pages 1 - 44)**

(Report of the Solicitor to the Council and Monitoring Officer)

People who have a disability and who would like to attend the meeting should contact Democratic Services on 01827 709264 or e-mail committees@tamworth.gov.uk preferably 24 hours prior to the meeting. We can then endeavour to ensure that any particular requirements you may have are catered for.

To Councillors: M Couchman, K Gant, M Gant, S People, S Pritchard, P Seekings and M Thurgood

SOLICITOR TO THE COUNCIL'S COMMENTS ON THE PROPOSED CHANGES TO THE CONSTITUTION 2013

1. This year there has been a substantial review of the Constitution which should result in a more user friendly document being available for Members' use. In particular there is now @ page 123 Committee rules of procedure (Schedule 1).

2. A new paragraph has been added to the 2.4.2 (e) Functions of the Full Council (page 8)

"agreeing and/or amending the terms of reference for committees, deciding on their composition and making appointments to them (except where the appointment to a committee is required to give effect to the wishes of a political group); and ensuring that **with the exception of the Mayor** members are appointed to **at least** two committees (one of which shall not include the Budget Review Joint Scrutiny Committee; except for executive members who are appointed to one committee"

I recommend the insertions as highlighted to take account as discussed at the training session (1) the exceptional position of the Mayor and (2) the words "at least" before two given that some members are on more than two Committees.

3. Article 10 Nominations Committee (page 18-19) does not include nominations for Freedom of the Borough.

4. Part 4 Rules of Procedure (pages 108-109) extends the business to be conducted by Ordinary Council Meetings to include:

4.2.17 receive any communications which the Mayor, the Leader, or the Head of Paid Service consider should be laid before the Council; with the permission of the Mayor members of the Council shall be given the opportunity to ask questions of the Leader and Portfolio Holders, following receipt of communications, if these specifically relate to portfolio areas

4.2.18 The leader will inform Council of any changes in the membership of the Executive and champions "**and both the leader and the Leader of the Opposition will inform Council of any changes in the membership of Committees**" needs to be inserted.

4.2.20 Consider items of business referred by the Chief Executive or another officer

4.2.22 Consider matters referred by overview and scrutiny and any referrals from committees or sub committees

5. On checking the draft Constitution available on the link provided to Members it has come to light that the following section has been omitted in error and must be reinserted at page 112 following Paragraph 4.10.5 and before 4.10.06 which should be renumbered 4.11.1 and consequently

renumber existing paragraphs. Page 112-113 of the draft copy produced for Council 16 May 2013 – Questions by the Public:

1.1 QUESTIONS BY THE PUBLIC

1.1.1 General

Members of the public may ask questions of members of the executive at every other ordinary meeting of the Council.

1.1.2 Order of questions

Questions will be asked in the order notice of them was received, except that the Mayor may group together similar questions and may give preference to questions from members of the public who have asked the least number of questions previously.

1.1.3 Notice of questions

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Chief Executive no later than 5pm two clear working days before the day of the meeting. Each question must give the name and address of the questioner and must name the member of the Council to whom it is to be put.

1.1.4 Number of questions

At any one meeting no person may submit more than two questions and no more than one such question may be asked on behalf of one organisation.

1.1.5 Scope of questions

The Chief Executive may reject a question if it:

- (a) is not about a matter for which the local authority has a responsibility or which affects the borough;
- (b) is defamatory, frivolous or offensive;
- (c) is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- (d) requires the disclosure of confidential or exempt information.

1.1.6 Record of questions

The Chief Executive will enter each question in a book open to public inspection and will immediately send a copy of the question to the member to whom it is to be put. Rejected questions will include reasons for rejection.

Copies of all questions will be circulated to all members and will be made available to the public attending the meeting.

1.1.7 Asking the question at the meeting

The Mayor will invite the questioner to put the question to the Executive member named in the notice. If a questioner who has submitted a written question is unable to be present, they may ask the Mayor to put the question on their behalf. The Mayor may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with.

1.1.8 Response by Questioner

Following the answer by the Executive member, the questioner will be given the opportunity to respond to the answer given. The Mayor may require the questioner to cease such response if it appears to the Mayor that the response is defamatory, frivolous or offensive, or is likely to result in the disclosure of confidential or exempt information.

1.1.9 Written answers

Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the member to whom it was to be put, will be dealt with by a written answer.

These answers will:

- (a) as soon as practicable after the meeting, such answers, whether given orally at the meeting or in writing after the meeting, shall be published on the Council website; and
- (b) any written answers provided after the meeting shall be attached to the minutes of that meeting.

6. State of Tamworth Debate Paragraph 4.16.1 (page 118) reads:

The Leader will call a State of Tamworth debate annually to be held during the latter part of September and in a form to be agreed with the Mayor.

A more accurate paragraph can be obtained by deletion of the words "to be held during the latter part of September"

7. The Notice of and Summons to Meetings (page 124), in order to allow for Licensing Sub-Committees to be convened at short notice requires the following insertion in line 2 between the words “days” and “before” – (three days in the case of a Licensing Sub-Committee).
8. Schedule 4, The Executive, now includes questions from members of the public as a standing item on the agenda for each meeting (page 149 Paragraph 10.3 and Page 150-151 paragraph 13). The only comment I have is that the word “other” be removed from paragraph 13.1 so that it coincides with the content of paragraph 10.
9. Schedule 10, Officers’ Code of Conduct has been inserted at pages 169-178. It should be noted that this code is currently under review.
10. Job descriptions have been inserted for all Members (pages 228-234).

THE FOLLOWING CHANGES HAVE BEEN PROPOSED

Article 4

2.4.2 Functions of the Full Council

- e) agreeing and/or amending the terms of reference for committees, deciding on their composition and making appointments to them (except where the appointment to a committee is required to give effect to the wishes of a political group); and ensuring that **with the exception of the Mayor** members are appointed to **at least** two committees (one of which shall not include the Budget Review Joint Scrutiny Committee; except for executive members who are appointed to one committee

Article 7 – The Executive

2.7.4 The leader will

- (a) Determine the size of the executive
- (b) Appoint members of the executive
- (c) Allocate portfolio areas to members of the executive
- (d) Remove and replace members of the executive
- (e) Appoint and replace member champions

2.7.7 Responsibility for functions

The Leader will inform the Chief Executive which individual members of the executive, committees of the executive, officers or joint arrangements are responsible for the exercise of particular executive functions and the Monitoring Officer will maintain the list in Part 3 of this Constitution.

- 2.7.8 The executive may appoint a committee or committees, including appointment of the Chairman, which committees may discharge executive functions.

2.7.10 Champions

A champion is a Member who will champion an issue on behalf of the Council, as appointed by the Leader of the Council. Examples are issues like heritage, youth, sports, housing, business, town centre. This is not exhaustive but is an example of issues to champion.

Champions are expected to become very knowledgeable on their issue and report to Council cabinet, and relevant committees on their subject as required

They have no authority to decide Council actions, policy or direct to staff to act on their issue.

All policy and decision making authority is the exclusive role of the Executive.

A champion cannot be a Tamworth Borough Council Executive member, committee chairman, vice chairman, Deputy Mayor or Mayor / or in receipt of a SRA.

A champion will -

Act as a lead person to gather, collect and research an issue on behalf of the Executive

Represent the Council, if authorised by the cabinet, at relevant internal or external events and or meetings

Engage external partners and agencies on the issue if authorised by the Executive.

Engage the public on the issue if authorised by the Executive.

Act as a project spokesperson or council representative on a body group, such as youth council, if required by the Executive.

Engage external agencies in the course of researching or investigating an issue or subject

Article 8 – Regulatory Committees

2.8.1 Regulatory Committees

The council will appoint such regulatory Committees as it considers necessary and appropriate from time to time to discharge non-executive functions. The committees to be appointed and their detailed terms and references are set out in Part 3 of this Constitution (Responsibility of Functions).

Article 11 – Area Committees and Forums

2.11.1 Area Committees and Forums

The Council may appoint area committees and forums as it sees fit, if it is satisfied that to do so will ensure improved service delivery in the context of best value and more efficient, transparent and accountable decision making.

Article 12 - Joint Arrangements

2.12.1 Arrangements to promote well being

The Council, in respect of non executive functions, and the executive in respect of executive functions and in order to promote the economic, social or environmental well-being of its area or to carry out activities falling within its powers under the General Power of Competence 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.

Subject, in all cases, to compliance with the statutory requirements.

2.12.2 Joint Arrangements

- (a) The Council may establish joint arrangements with one or more local authorities to exercise functions which are not executive functions in any of the participating authorities, or to advise the Council. Such arrangements may involve the appointment of a joint committee with these other local authorities.
- (b) The executive may establish joint arrangements with one or more local authorities to exercise functions which are executive functions. Such arrangements may involve the appointment of joint committees with these other local authorities.
- (c) Except as set out below the executive may only appoint executive members to a joint committee and those members need not reflect the political composition of the Council as a whole.
- (d) The executive may appoint members to a Joint Committee from outside the executive in the following circumstances:
 - (i) the Joint Committee has functions for only part of the authority and that area is smaller than two fifth of the authority by areas or population. In such cases the executive may appoint to the Joint Committee any Councillor who is a

member for a ward which is wholly or partly contained within the area;

- (ii) the Joint Committee is discharging a function in relation to five or more authorities;
 - (iii) the function which the Joint Committee is discharging is a function which is required by statute to be discharged by a Joint Committee;
 - (iv) political balance requirements do not apply to such appointments.
- (e) Details of any joint arrangements including delegations to Joint Committees will be found in Part 3 of this Constitution.

2.12.3 Access to information

The Access to Information Rules in Part 4 of this Constitution will apply.

2.12.4 Delegation to and from other local authorities

- (a) The Council may delegate functions to another local authority or, in certain circumstances, the executive of another local authority.
- (b) The executive may delegate executive functions to another local authority or the executive of another local authority in certain circumstances.
- (c) The decision whether or not to accept or refuse such a delegation from another local authority shall be reserved to the Council meeting.

2.12.5 Contracting out

The Council in respect of non-executive functions and the executive in respect of executive functions 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.

Part 4 – Rules of Procedure

4.2.17 receive any communications which the Mayor, the Leader, or the Head of Paid Service consider should be laid before the Council; with the permission of the Mayor members of the Council shall be given the opportunity to ask questions of the Leader and Portfolio Holders, following receipt of communications, if these specifically relate to portfolio areas;

4.2.18 The leader will inform Council of any changes in membership of the Executive and champions;

4.2.19 (same as before – (vii))

4.2.20 Consider items of business referred by the Chief Executive or another officer;

4.2.21 (same as before – (viii))

4.2.22 Consider matters referred by overview and scrutiny and any referrals from committees or sub committees

SCHEDULE 1- COMMITTEE RULES OF PROCEDURE

1 APPLICATION

The Committee Rules of Procedure shall apply to meetings of Committees and Sub – Committee not being full Council or meetings of the executive. All of the Council Rules of Procedure apply to meetings of full Council. None of the rules apply to meetings of the executive.

2 APPOINTMENT OF SUBSTITUTE MEMBERS OF COMMITTEES AND SUB-COMMITTEES

2.1 Allocation

As well as allocating seats on Committees and Sub-Committees, the Council may if it so decides allocate seats in the same manner for substitute Members.

2.2 Number

For each Committee or Sub-Committee, the Council may if it decides appoint one substitute in respect of each political group per Committee or Sub-Committee with the exception of the Planning Committee and Licensing Sub-Committees under the Licensing Act 2003.

2.3 Powers and duties

Substitute members when acting 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. If the ordinary member named in the notice given in rule 2.4 below is the Chairman of the relevant Committee, then the Vice-Chairman shall preside, or if absent, the first item of business shall be the appointment of a Chairman at the meeting.

2.4 Substitution

Substitute members may attend meetings in that capacity only:

2.4.1 to take the place of the ordinary member for whom they are the designated substitute and for that meeting only;

2.4.2 where the ordinary member will be absent for the whole meeting;

2.4.3 after notifying the Chief Executive at least one working day before the commencement of the meeting of the intended substitution; and

2.4.4 in the event that the permanent member attended the meeting and the notification of substitution has been received, the permanent Member would be required to leave.

The Substitution scheme shall not apply to Appointments & Staffing Committee, Audit & Governance Committee, Licensing Committee and Planning Committee.

3 TIME AND PLACE OF MEETINGS

The time and place of meetings will be determined by the Chief Executive and notified in the summons.

4 NOTICE OF AND SUMMONS TO MEETINGS

The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear days before a meeting, the Chief Executive will send a summons signed by him or her by post to every member of the Committee or Sub-Committee or leave it at their usual place of residence. 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.

5 CHAIRMAN OF MEETING

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

6 QUORUM

The quorum of a meeting will be one quarter of the whole number of the Committee or Sub Committee members. During any meeting if the Chairman 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 Chairman. If s/he does not fix a date, the remaining business will be considered at the next ordinary meeting.

7 DURATION OF MEETING

7.1 Interruption of the meeting

If the business of the meeting has not been concluded by 8.30 p.m., a bell will be rung and the member speaking must immediately sit down. The Chairman must interrupt the meeting and call for the vote immediately on the item under discussion. The vote will then be taken in the usual way without any further discussion provided no motion under rule 9 is passed.

7.2 Motions and recommendations not dealt with

Subject to 7.1 above, if there are other motions or recommendations on the agenda that have not been dealt with by 8.30 p.m., they are deemed formally moved and seconded (together with any amendments). No speeches will be allowed on these items and the vote will be taken in the usual way.

7.3 Recorded vote

If a recorded vote is called for during this process it will be taken immediately.

7.4 Motions which may be moved

During the process set out in Rules 7.1–7.3 above, the only other motions which may be moved are that a matter be withdrawn or that a matter be delegated or referred to an appropriate body or individual for decision or report.

7.5 Close of the meeting

When all motions and recommendations have been dealt with, the Chairman will declare the meeting closed.

8 MOTIONS ON NOTICE

8.1 Notice

Except for motions which can be moved without notice under Rule 9, written notice of every motion, signed by at least five members, must be delivered to the Chief Executive not later than seven clear working days before the date of the meeting. These will be entered in a book open to public inspection.

8.2 Motion set out in agenda

Motions for which notice has been given will be listed on the agenda in the order in which notice was received, unless the member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.

8.3 Scope

Motions must be about matters for which the Committee or Sub Committee has a responsibility or which affect Tamworth. Motions must not be defamatory, unlawful, frivolous or offensive; and must not require the likely disclosure of confidential or exempt information. If it appears to the Chief Executive that the motion falls into these categories s/he will refer the matter to the Chairman who will rule on whether or not the motions can be considered.

8.4 Motion to remove the Chairman

A motion to remove the Chairman can only be moved by giving written notice. A written notice of a motion to remove the Chairman must be signed by at least [five] members and must be delivered to the Chief Executive not later than seven clear working days before the date of the meeting. These will be entered in a book open to public inspection. Rules 8.2 and 8.3 shall apply to a motion moved under rule 8.4.

9 MOTIONS WITHOUT NOTICE

The following motions may be moved without notice:

- 9.1.1 to appoint a chairman of the meeting at which the motion is moved where the existing Chairman or Deputy Chairman are absent;
- 9.1.2 in relation to the accuracy of the minutes;
- 9.1.3 to change the order of business in the agenda;
- 9.1.4 to refer something to an appropriate body or individual;
- 9.1.5 to appoint a committee or member arising from an item on the summons for the meeting;
- 9.1.6 to receive reports or adoption of recommendations of committees or officers and any resolutions following from them;
- 9.1.7 to withdraw a motion;
- 9.1.8 to amend a motion;
- 9.1.9 to proceed to the next business;
- 9.1.10 that the question be now put;
- 9.1.11 to adjourn a debate;
- 9.1.12 to adjourn a meeting;
- 9.1.13 that the meeting continue beyond 8.30 p.m. in duration provided rule 7.1 has not been passed;
- 9.1.14 to suspend a particular Committee rule of procedure;
- 9.1.15 to exclude the public and press in accordance with the Access to Information Rules;
- 9.1.16 to not hear further a member named under Rule 17.3 or to exclude them from the meeting under Rule 17.4 and

10 RULES OF DEBATE

10.1 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.

10.2 Right to require motion in writing

Unless notice of the motion has already been given, the Chairman may require it to be written down and handed to him/her before it is discussed.

10.3 Seconders' speech

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

10.4 **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 ten minutes without the consent of the Chairman.

10.5 **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:

10.5.1 to speak once on an amendment moved by another member;

10.5.2 to move a further amendment if the motion has been amended since s/he last spoke;

10.5.3 if his/her first speech was on an amendment moved by another member, to speak on the main issue (whether or not the amendment on which s/he spoke was carried);

10.5.4 in exercise of a right of reply;

10.5.5 on a point of order; and

10.5.6 by way of personal explanation.

10.6 **Amendments to motions**

An amendment to a motion must be relevant to the motion and will either be:

10.6.1 to refer the matter to an appropriate body or individual for consideration or reconsideration;

10.6.2 to leave out words;

10.6.3 to leave out words and insert or add others; or

10.6.4 to insert or add words.

as long as the effect of (ii) to (iv) is not to negate the motion.

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.

If an amendment is not carried, other amendments to the original motion may be moved.

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.

After an amendment has been carried, the Chairman will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

10.7 **Alteration of motion**

A member may alter a motion of which s/he has given notice with the consent of the meeting. The meeting's consent will be signified without discussion.

A member may alter a motion which s/he has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.

Only alterations which could be made as an amendment may be made.

10.8 **Withdrawal of motion**

A member may withdraw a motion which s/he has 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.

10.9 **Right of reply**

The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.

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.

The mover of the amendment has no right of reply to the debate on his or her amendment.

10.10 **Motions which may be moved during debate**

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

- 10.10.1 to withdraw a motion;
- 10.10.2 to amend a motion;
- 10.10.3 to proceed to the next business;
- 10.10.4 that the question be now put;
- 10.10.5 to adjourn a debate;

- 10.10.6 to adjourn a meeting;
- 10.10.7 to exclude the public and press in accordance with the Access to Information Rules; and
- 10.10.8 to not hear further a member named under Rule 17.3 or to exclude them from the meeting under Rule 17.4.

10.11 **Closure motions**

A member may move, without comment, the following motions at the end of a speech of another member:

- 10.11.1 to proceed to the next business;
- 10.11.2 that the question be now put;
- 10.11.3 to adjourn a debate; or
- 10.11.4 to adjourn a meeting.

If a motion to proceed to next business is seconded and the Chairman thinks the item has been sufficiently discussed, s/he will give the mover of the original motion a right of reply and then put the procedural motion to the vote.

If a motion that the question be now put is seconded and the Chairman thinks the item has been sufficiently discussed, s/he will put the procedural motion to the vote. If it is passed s/he will give the mover of the original motion a right of reply before putting his/her motion to the vote.

If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chairman thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, s/he will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

10.12 **Point of order**

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

10.13 **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 Chairman on the admissibility of a personal explanation will be final.

11.1 Motion to rescind a previous decision

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

11.2 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 two members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

12 VOTING

12.1 Majority

Unless the legislation 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.

12.2 Chairman's casting vote

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

12.3 Show of hands

Unless a recorded vote is demanded under Rule 12.4, the Chairman will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

12.4 Recorded vote

If five members present at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes.

12.5 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.

12.6 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.

13 MINUTES

13.1 Signing the minutes

The Chairman will sign the minutes of the proceedings at the next suitable meeting. The Chairman 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.

13.2 Form of minutes

Minutes will contain all motions and amendments in the exact form and order the Chairman put them.

14 DISTURBANCE BY PUBLIC

14.1 Removal of member of the public

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

14.2 Clearance of part of meeting room

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

15 RECORD OF ATTENDANCE

All members present during the whole or part of a meeting must sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance.

16 EXCLUSION OF PUBLIC

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 4 of this Constitution or Rule 14 (Disturbance by Public).

17 MEMBERS' CONDUCT

17.1 Standing to speak

When a member speaks at Committee or Sub-Committee they must stand – unless disabled from doing so-and address the meeting through the Chairman. If more than one member stands, the Chairman will ask one to speak and the others must sit. Other members must remain seated whilst a member is speaking unless they wish to make a point of order or a point of personal explanation.

17.2 Chairman standing

When the Chairman stands during a debate, any member speaking at the time must stop and sit down. The meeting must be silent.

17.3 Member not to be heard further

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

17.4 Member to leave the meeting

If the member continues to behave improperly after such a motion is carried, the Chairman 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.

17.5 General disturbance

If there is a general disturbance making orderly business impossible, the Chairman may adjourn the meeting for as long as s/he thinks necessary.

17.6 Disclosable pecuniary interests

A member with a disclosable pecuniary interest as defined by section 30 of the Localism Act 2011 who is prohibited from participating in any discussion of any matter at a meeting or prohibited from participating in any vote, or further vote taken on the matter at the meeting will be excluded from that part of any meeting at which that matter is under consideration unless the member has been granted a dispensation.

A member so excluded shall withdraw from the meeting and shall not remain in the room in which the meeting is taking place or remain in any part of the room reserved for members of the public.

18 SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

18.1 Suspension

All of these Committee Rules of Procedure except Rules 17.6 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.

18.2 Amendment

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

22 DECISIONS BY INDIVIDUAL MEMBERS OF THE EXECUTIVE

22.3 Record of individual decision

(Proposed insertion)

As soon as reasonably practicable after any Executive decision has been taken by an individual Member or after a Key Decision has been taken by an officer he or she will instruct the Monitoring Officer to prepare a record of the decision, a statement of the reasons for it, any alternative options considered and rejected, a record of any conflict of interest declared by any Executive Member and in respect of any declared conflict of interest, a note of dispensation granted by the Councils Chief Executive.

Executive Procedure Rules

13 Questions by the public

13.1 General

Members of the public may ask questions of members of the Executive at every other ordinary meeting of the Executive.

13.2 Order of questions

Questions will be asked in the order notice of them was received, except that the Leader may group together similar questions and may give preference to questions from members of the public who have asked the least number of questions previously.

13.3 Notice of questions

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Chief Executive no later than 5pm two clear working days before the day of the meeting. Each question must give the name and address of the questioner.

13.4 Number of questions

At any one meeting no person may submit more than one question (one supplementary question may also be asked) and no more than one such question may be asked on behalf of one organisation.

13.5 Scope of questions

The Chief Executive may reject a question if it:

- (d) is not about a matter for which the local authority has a responsibility or which affects the borough;
- (e) is defamatory, frivolous or offensive;
- (f) is substantially the same as a question which has been put at a meeting of the Executive in the past six months; or
- (g) requires the disclosure of confidential or exempt information.

13.6 Record of questions

The Chief Executive will enter each question in a book open to public inspection and will immediately send a copy of the question to the Executive. Rejected questions will include reasons for rejection.

13.7 Asking the question at the meeting

The Leader will invite the questioner to put the question to the Executive.

13.8 Response by Questioner

Following the answer by the Executive, the questioner will be given the opportunity to ask a supplementary question. Rule 13.5 apply to the supplementary question.

13.9 Written answers

Any question which would be dealt with during public question time, but cannot due to lack of time or any other reason will be dealt with by a written answer.

These answers will be given

- (h) as soon as practicable after the meeting, and answers to questions. whether given orally at the meeting or in writing after the meeting, shall be published on the Council website; and
- (i) any written answers provided after the meeting shall be attached to the minutes of that meeting.

SCHEDULE 10- OFFICERS' CODE OF CONDUCT

CODE OF CONDUCT FOR EMPLOYEES

1. INTRODUCTION

- 1.1 The public is entitled to expect the highest standards of conduct from all local government employees.
- 1.2 This Code is based on a model produced, after consultation, by the local authority associations and the Local Government Management Board. It has been developed to take into account Tamworth Borough Council corporate policies. Consultations have also taken place locally with the Trade Unions. A copy is issued to every employee.
- 1.3 This Code takes into account "The Seven Principles of Public Life" which are included in the Nolan Committee's report on "Standards in Public Life". These are; selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

2. STATUS OF THE CODE

- 2.1 The Council has chosen to adopt the Code of Conduct. The Code sets out minimum standards that employees should observe. It lays down guidelines for employees to help maintain and improve standards and protect employees from misunderstanding or criticism.

3. SCOPE OF THE CODE

- 3.1 The Code applies to all employees, casuals, and volunteers of Tamworth Borough Council. Where appropriate our partners and contractors are also expected to be aware of our code and comply with the minimum standards.
- 3.2 Activities carried out by Council employees acting as members of companies or voluntary organisations are subject to the minimum standards within this Code.

4. STANDARDS

- 4.1 As a Tamworth Borough Council employee you are expected to give the highest possible standard of service to the public. You have the following duties;
 - (i) A duty of service - to work in accordance with your contract of employment; e.g. - not to be absent or late without permission.
 - (ii) A duty to carry out reasonable instructions, procedures and regulations.
 - (iii) A duty to care - to be competent and capable and not to be negligent in work.
 - (iv) A duty of good faith - to be honest and not accept a fee or commission or gifts from those who do business with the Council or to divulge confidential information about the Council.

Personal Standards

- 4.2 As a Tamworth Borough Council employee you are expected to;

(i) Be positive, helpful and co-operative in dealing with colleagues, Members and the public.

(ii) Provide impartial advice to councillors and colleagues.

(iii) Remember that as a Council employee your primary responsibility is to the community as expressed by the corporate policies of the Council. You should not allow departmental or sectional or other interests to take precedence over corporate policies. Within these policies you should respect the defined roles of departments, service centres and colleagues and avoid conflict and disharmony within the organisation.

(iv) Remember that you are accountable for your actions and decisions and be prepared to submit yourself to whatever scrutiny is appropriate to your office.

(v) Ensure that your personal appearance is consistent with public expectations, bearing in mind the work you do.

(vi) Bring to the attention of the appropriate level of management any deficiency in the provision of service.

(vii) Report to the appropriate manager any serious impropriety or breach of procedure. (see Whistleblowing Policy and the Counter Fraud & Corruption Strategy)

Competence Standards

4.3 As an employee you are expected to perform your duties with:

(i) due care,

(ii) competence,

(iii) diligence, and continue to maintain such standards.

4.4 If you hold a specific technical and professional qualification you should:

(i) carry out your duties in accordance with the standards set by your professional body;

(ii) conform with any guidelines on ethics produced by your professional body.

Council Policies, etc.

4.5 The Council has a Constitution, Financial Rules and a number of corporate policies which you should familiarise yourself with. The Scheme of Delegation will set out the responsibility for certain decisions and care should be taken to ensure you have the correct authorisation to carry out tasks you are undertaking.

4.6 Your section or directorate will have specific rules, procedures and codes of practice which apply to the particular department workplace and type of work in which you are engaged. These rules are communicated by management in various ways, including oral instructions, procedure manuals, notices, information sheets the Councils website and intranet and e-mail.

4.7 You are expected to comply with these rules and policies in carrying out your duties.

5. DISCLOSURE OF INFORMATION

5.1 The law requires certain types of information to be available to councillors, auditors, government departments, and the public. This 'access' legislation has two main Acts,

the first being the Freedom of Information Act 2000 (FOI) that provides a right to request access from the general public for information the council holds. The second is the Data Protection Act 1998 (DPA) that provides a right of access by a person of which we may hold your personal information.

With regard to FOI regularly requested information should be available on the Council's Publication Scheme. Copies are available from your Manager or on the Council's website.

5.2 Employees are expected to be open, informative and truthful in dealing with colleagues, members and the public and to provide the information under any entitlement to FOI, DPA and in accordance with any Data Sharing Protocols. If you are not sure what should be made available, you should find out from your manager or the designated manager dealing with this access legislation.

5.3 There is a balance between the right of access and the right to withhold information, this is laid down in exemptions to the Acts, where by disclosure of such information would be unfair to any individual or cause harm to the council and its business partners both financially or reputation. Care must be taken by employees not to disclose information that could be seen to create these situations.

5.4 Any information obtained in the course of your employment should not be used for your personal gain or benefit, and you should not pass it on to anyone else who could use it for his or her benefit. Do not divulge any personal information about a fellow employee, member of the public or a Councillor without permission unless disclosure is required by law.

5.5 Under the Data Protection Act 1998 it may be an offence to obtain, hold or disclose personal data on others in a way which exceeds the normal completion of your duties.

The Council has rules concerning personal data and other confidential information set out overleaf and certain areas of the Council also have more specific rules or procedures concerning personal data. Breach of these may lead to action under the Council's Conduct and Capability Policy. If you are in doubt whether it is legal or appropriate to procure, keep or disclose information relating to any individual(s) you should refer to your manager for guidance.

Under the scheme of delegation only employees authorised to do so may talk to the press or otherwise make personal statements on behalf of your service, directorate or the Council.

5.6 Employees should not bring the council into disrepute by placing on record personal opinions about the council; recording footage not conducive with council business whilst on the premises or engaged in council business on social media sites. Employees are urged to be cautious when using social media sites and understand that anything posted on such sites are available to a wide audience and will reflect on the Council, even if they are your personal views. Care should be taken to ensure any comments should not undermine your position as a professional, trusted and responsible person. Employees should be aware that any disrespectful comments - including bullying and harassment will be dealt with under our Grievance Policy and may result in disciplinary action.

6. POLITICAL NEUTRALITY

6.1 Employees serve the authority as a whole. You must ensure that the individual rights of all Councillors are respected.

- 6.2 You may be invited to advise political groups. Do so in a way that does not compromise your political neutrality. If you are in a politically restricted post you must ensure that you comply with the requirements of such posts.
- 6.3 All employees whether or not politically restricted must follow all lawful policies of the Council and must not let your own personal or political opinions interfere with your work.

7. RELATIONSHIPS WITH: -

Councillors

- 7.1 You are responsible to the Council through your senior managers. Mutual respect between you and Councillors is essential for good local government. Avoid over familiarity with individual councillors, which could damage your relationship with and/or prove embarrassing to other employees and councillors. This can include socialising with councillors outside of work, accepting gifts or carrying out work on behalf of individual councillors (where this is not within their duties as a committee member or other office) within your working time. Where you have an existing relationship with a councillor, this should be declared to your line manager upon appointment.

The Local Community and Service Users

Always remember the Council's responsibility is to the community and give a courteous, efficient and impartial service to all groups and individuals within the Council's policies. Try to be positive, constructive and inclusive. When necessary make extra efforts to communicate with people with disabilities in accordance with Council policies.

Contractors

- 7.3. All relationships of a business or private nature with external contractors, or potential contractors, should be declared to your Director (see paragraph 10.1 below). If employees engage or supervise contractors or deal with suppliers on behalf of the Council then you must record any past or present business/private relationships with those organisations with the Solicitor/Monitoring Officer and keep your Director informed.
- 7.4 Orders and contracts must be awarded on merit, by fair competition against other tenders, in accordance with the Council's procedures and no special favour should be shown to businesses run by, for example, friends, partners or relatives in the tendering process. No part of the local community should be discriminated against.

8. APPOINTMENT AND OTHER EMPLOYMENT MATTERS

- 8.1 If employees are involved in the appointment of staff you must follow the Council's Recruitment & Selection Policy. If you are related to an applicant, or have a close personal relationship with one outside work, you must declare it to the Human Resources.
- 8.2 You should not be involved in decisions about discipline, promotion or pay adjustments for someone with whom you have a close personal relationship.

9. OUTSIDE COMMITMENTS

- 9.1 Employees should not take outside employment which conflicts with your Council's interests. You are required to obtain consent from your Director (see paragraph 10.1 below) before taking any outside employment (paid or unpaid) or business. A

secondary employment form (Appendix 1) should be completed and submitted to your Director and then to Solicitor/Monitoring Officer via HR.

- 9.2 You should comply with any Council rules about the ownership of intellectual property and copyright in work done by you during your employment with the Council. If in doubt you must consult your Head of Service, the Solicitor/Monitoring Officer or the Corporate Information Security Manager.

10. PERSONAL INTERESTS

- 10.1.1 Employees must declare to your Director (*see table below) any financial or non-financial interests that you consider could conflict with the Council's interests, or could cause your conduct to be questioned. Such interests must be registered with the Solicitor/Monitoring Officer.

Reporting hierarchy for financial and non-financial interests

Officer:	Reports to:
Chief Executive	Solicitor/Monitoring Officer
Director	Chief Executive
Head of Service	Director
All other employees	Director

- 10.2 Employees must declare to your Director membership of any organisation not open to the public without formal membership and commitment of allegiance, and which has secrecy about rules, membership or conduct. If you are a member of an organisation of this type you must register this with the Solicitor/Monitoring Officer.

- 10.3 When attending meetings of the Council or its Committees you should declare any financial interest in any item and withdraw from the meeting while the matter is under consideration unless authorised to remain in the meeting by the Members present.

11. EQUALITY ISSUES

- 11.1 Employees must comply with and promote the Council's equality policies and other corporate policies. The public and employees have a right to be treated with fairness and equity.

12. SEPARATION OF ROLES DURING TENDERING

- 12.1 If employees are involved in the tendering for Council contracts or dealing with contractors you should be clear about the separation of client and contractor roles within the authority. You must comply with the Council's Contract Standing Orders and Financial Regulations. You must be aware of the need for accountability and openness but also respect the need for commercial confidentiality.
- 12.2 If employees are in a contractor or client unit you must deal with customers, suppliers, other contractors and sub-contractors fairly and impartially.
- 12.3 If employees see confidential information on tenders or costs for either internal or external contractors you must not disclose that information to any unauthorised person.
- 12.4 If employees intend to participate in a management or employee buyout you must inform the Chief Executive or your Director and record this with the Solicitor/Monitoring Officer, you must withdraw from the contract awarding processes immediately.

- 12.5 Employees must not treat current or former employees or your partners, close relatives or associates more or less favourably than other people when considering the award of contracts to businesses run by them or employing them.

13. BRIBERY

- 13.1 It is a serious criminal offence to receive or give any gift, loan, fee, reward or advantage. If an allegation is made you may have to demonstrate that any such rewards have not been obtained that would be seen as a bribe. The definition of Bribery (as per the Bribery Act 2010) is detailed in the Counter Fraud & Corruption Policy Statement, Strategy & Guidance Notes.

14. USE OF FINANCIAL RESOURCES

- 14.1 Employees must ensure that you use public funds entrusted to them in a responsible and lawful way. You should try to obtain value for money to the local community and avoid legal challenge to the authority. You must comply with the Council's Financial Regulations.

15. HOSPITALITY AND GIFTS

15.1 *Introduction*

As public service employees, Council staff must act, and be seen to act, with the highest standards of integrity. In the course of your work you may encounter situations, which, if not handled properly, could call your integrity into question. Examples of such situations include being offered tokens of appreciation or opportunities to meet socially with contractors or suppliers to the Council. This Guidance aims to help them to deal with such situations.

The over-riding principle is that all employees, your family, your friends or any organisation of which you are a member or with which you are closely associated should not accept any gift, consideration or hospitality that would call into question:

- your honesty;
- your ability to deal impartially and equitably with all service users, potential or actual contractors or suppliers;
- your commitment and ability to pursue the best interests of the Council.

If you would feel uncomfortable giving an account of your actions to management or reading an account of your actions on the front page of the local newspaper – don't take the action.

To protect you and the Council there is a Register of Disclosures and Interests and a Register of Gifts and Hospitality held by the Solicitor/Monitoring Officer

This Guidance should help all employees understand what to register. If you need any guidance or advice on matters raised in this document, you can speak to your manager or to the Solicitor/Monitoring Officer.

15.2 *Gifts*

Employees must not seek gifts, additional payments or any other personal advantage (such as discounts or free services) from any service user, potential or actual contractor or supplier.

You must not accept payments or any other form of personal advantage from any service user, potential or actual contractor or supplier. The only exception to this is that some service users like to "tip" employees, particularly at Christmas. Small tokens of appreciation may be accepted in such circumstances but a record must be kept of tips received. The record should be given to the most senior employee at the work place who will then pass it to your 'off-site' manager.

You may accept gifts of token value such as pens, diaries, etc. from potential or actual contractors or suppliers. Such gifts may be kept for your personal or business use. You should, however, be aware of the adverse impression that may be created for competitors seeking to do business with the Council.

You may accept gifts with nominal value from visitors to the Council when the gifts are proffered as tokens of friendship between Tamworth Borough and the visitors' hometown or country.

If employees receive a gift of more than token or nominal value and it would cause offence or be impracticable to return it, you should register the gift (see below) and inform your manager. Such gifts will normally either be donated to a charity or may, if suitable, be kept for use on Council premises.

If you are offered a gift and you believe or suspect that the offer is made with the intention of influencing you to give favourable treatment to a service user, potential or actual contractor or supplier, you must inform your Director, or the Chief Executive.

15.3 ***Hospitality***

You must not solicit hospitality (for example meals, tickets to sporting or cultural events) from any service user, potential or actual contractor or supplier.

You must not accept offers of hospitality unless you have the permission of your Director or the Chief Executive. Hospitality, which you have permission to accept, must be registered in the Register of Gifts and Hospitality. Permission will not normally be granted for hospitality that requires overnight accommodation at the host's expense.

You should not allow a potential or actual contractor or supplier to pay for them to visit your sites or premises to inspect your goods or services. If such visits are necessary, the Council will meet the costs involved. When visiting potential or actual contractors or suppliers you may accept refreshments appropriate to a work situation.

You do not need prior permission to accept a meal which is offered in work-related circumstances and which would enable your work to be expedited, provided that the costs are reasonable in the circumstances.

You do not need prior permission to accept modest hospitality offered at conferences and courses provided that the hospitality is offered to a number of people in similar roles (i.e. is corporate) rather than personal.

If you are offered hospitality and you believe or suspect that the offer is made with the intention of influencing them to give favourable treatment to a service user, potential or actual contractor or supplier, you must inform your Director, or the Chief Executive.

15.4 ***Prizes***

If you enter competitions or prize draws associated with your work (i.e. a prizewin during a training course or for completing feedback/survey). These prizes should be declared but you will be eligible to claim them for personal use.

15.5 ***Registers of Disclosures and Interests and Gifts and Hospitality***

The Council's Register of Disclosures and Interests and Register of Gifts and Hospitality are held by the Solicitor/Monitoring Officer

Electronic copies of forms for registering interests, gifts, hospitality etc. can be obtained from on-line forms on the Intranet. Completed forms should be e-mailed to the Solicitor/Monitoring Officer or, if in hard copy format, sent to Marmion House in an envelope clearly marked as Confidential

15.6 Confidential Reporting or Whistleblowing

If employees believe or suspect that a colleague in the Council or any service user, potential or actual contractor or supplier is involved in corrupt or questionable practices, you should refer to the Counter Fraud and Corruption Strategy and/or the Whistleblowing Policy. These policies detail the relevant reporting procedures.

16. SPONSORSHIP - GIVING AND RECEIVING

16.1 Where an outside organisation wishes to sponsor or is seeking to sponsor a Council activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

16.2 When the Council sponsors an event or service neither you nor your partner, any relative or personal friends must benefit from the sponsorship in a direct way without there being full disclosure to your Director.

You must register any such interest with the Solicitor/Monitoring Officer.

16.3 Where the Council through sponsorship, grant aid, financial or other means is giving support in the community, and you are giving advice ensure that it is impartial and that there is no conflict of interest involved.

17. DISCIPLINARY RULES

17.1.1 This Code forms part of the Council's Conduct Rules. The rules applied are those of normal good conduct. The rules are expressed in the Council's Conduct & Capability Policy, which has the aims of establishing and maintaining a fair and equitable standard of discipline throughout the Council and encouraging improvements in conduct.

17.1.2 All employees should have a copy of the Council's Conduct & Capability. If you do not have one please contact your Manager or Human Resources.

- There will not be instances where my Secondary Employment will conflict with my work at Tamworth Borough Council. (this could mean conflict in time or where the performance of your duties at Tamworth Borough Council is affected)

I confirm that the above information is correct and that my secondary employment in this instance will not have a conflict of interest with or have a detrimental effect on, my work at Tamworth Borough Council. I will inform my Director in writing if there are any changes to the above. I understand and accept that false information given with regard to this secondary employment could be investigated under the Council's Conduct & Capability Policy.

Signed: _____ Date: _____
(Employee's signature)

Printed Name: _____

- I agree to the employee taking on Secondary Employment in accordance with the above information:

-
-

• Signed: _____ Date:

(Director)

-
-

Printed Name _____

TAMWORTH BOROUGH COUNCIL; JOB DESCRIPTIONS FOR MEMBER ROLES

COUNCILLORS

Purpose

1. To participate constructively in the good governance of the Borough of Tamworth
2. To contribute actively to the formation and scrutiny of the authority's policies, budget, strategies and service delivery
3. To represent effectively the interests of the Ward for which the councillor was elected, and deal with constituents' enquiries and representations
5. To represent the council effectively, when appointed to an outside body
6. To act at all times with probity and propriety and in the best interests of the Council.

Duties and Responsibilities

1. To fulfil the statutory and locally determined requirements of an elected member of a local authority and the authority itself, including compliance with all relevant codes of conduct, and participation in those decisions and activities reserved to the full Council
2. To participate effectively as a member of any Committee when so appointed
3. To participate in the activities of any outside body when so appointed
4. To participate in the scrutiny or performance review of the services of the authority including, where the authority so decides, the scrutiny of policies and budget, and their effectiveness in achieving the strategic objectives of the Council
5. To participate, as appointed, in consultative processes with the community and other organisations and to provide a link between the authority to the community
6. To develop and maintain a working knowledge of the authority's services, management arrangements, powers/duties, and constraints, and to develop good working relationships with relevant officers
7. To develop and maintain a working knowledge of other organisations and services which serve the Borough of Tamworth
8. To participate in the activities of any political group of which the councillor is a member
9. To maintain confidentiality in all relevant Council business

LEADER

Purpose

1. To provide effective political leadership and strategic direction for the Council.
2. To ensure effective Corporate Governance
3. To provide effective stewardship of the Council
4. To chair the Executive and ensure that it achieves its terms of reference
5. To ensure that the Council delivers high quality, value for money services

Duties and Responsibilities

1. To provide political leadership to the Council, take appropriate executive action and propose the policy framework within which the Council will operate
2. To ensure effective Corporate Governance including working with opposition groups to seek to achieve where possible cross party cooperation
3. To appoint and lead the Executive and be responsible for the Council's corporate and resource strategy
4. To ensure that the Executive achieves its terms of reference both collectively and as individual portfolio holders
5. To ensure the effective integration of roles, responsibilities and functions within the Executive membership
6. To appoint Member Champions where considered appropriate in accordance with the Constitution
7. To provide reports to Council in accordance with the Constitution
8. As Leader, to be the key contact for outside organisations and the Council's Chief Executive and other Senior Officers
9. To be the voice of the Council and to positively promote the Council in the media.
10. To act as the political spokesperson for the Council
11. To promote the long term financial, business and economic stability and growth of the Borough
12. To encourage the highest standards of probity and corporate governance

Skills required

1. Good communication and interpersonal skills
2. The ability to analyse and grasp complex issues
3. A good understanding of how local, national and European government operates,
4. An understanding of the operation of the Council and the economic and social situation within Tamworth
5. Business and financial acumen, with the ability to understand and manage the Council's budget
6. Effective leadership skills
7. Excellent political knowledge and awareness
8. The ability to chair meetings and facilitate open discussion

9. The ability to work effectively with Council officers, the public, the media and outside organisations

DEPUTY LEADER

Purpose

1. To assist and work with the Leader to provide effective political leadership and strategic direction for the Council.
2. To assist the Leader with his other responsibilities such as ensuring effective Corporate Governance and Stewardship of the Council and to ensure the Council delivers high quality, value for money services
3. To act in the absence of the Leader as appropriate

Duties and Responsibilities

1. To assist and work with the Leader in delivering his responsibilities to the Council
2. To deputise for the Leader in his absence from Council meetings and to deputise in the Leader's absence at Executive meetings
3. In the Leader's absence to carry out the requirements of his job profile so far as legally possible and permissible.
4. To carry out such other duties and undertake portfolio responsibility as delegated by the Leader

Skills required

1. Good communication and interpersonal skills
2. To have the ability to analyse and grasp complex issues
3. A good understanding of how local, national and European government operates,
4. A clear understanding of the operation of the Council, and the economic and social situation within Tamworth
5. Business and financial acumen, including the ability to understand and manage the Council's budget
6. Effective leadership skills
7. Excellent political knowledge and awareness
8. The ability to chair meetings and facilitate open discussion
9. The ability to work effectively with Council officers, the public, the media and outside organisations

EXECUTIVE MEMBERS

Purpose

1. To provide collective and individual leadership as part of the Executive
2. To undertake lead responsibility for allocated portfolios
3. To contribute effectively towards the strategic direction of the Council

Duties and Responsibilities

1. To participate effectively as a Member of the Executive; taking joint responsibility with other Executive Members for all actions.
2. To exercise appropriately any delegated powers from the Leader
3. To participate in shaping and developing the policy and vision of the Council,
4. To act as the Lead Member for a particular portfolio as may be determined by the Leader, and in doing so, have regard to the overall collective responsibilities of the Executive and the Council's corporate policy objectives and championing the portfolio concerned within that strategic context, being aware of key budgetary issues relating to the portfolio
5. To build good working relationships with appropriate officers and work with them in developing policy or strategic issues prior to formal reporting.
6. To keep abreast of related developments and policies at national, regional and local level
7. To represent the Executive where appropriate at an Overview & Scrutiny Committee (O&S) in connection with any matter that may be called in; and to attend O&S at their request in connection with any issues associated with the Executive Member portfolio that are being scrutinised.
8. To be aware of issues of importance to the community and other stakeholders concerning the portfolio are
9. To represent the Council on external bodies, as appointed, and feedback to the Executive any issues of relevance/importance.
10. To be available as appropriate for other Members to discuss any queries or matters of concern.
11. To positively promote the portfolio and where appropriate to act as the spokesperson with the media for the portfolio area.

Skills Required

1. Good communication and interpersonal skills
2. Ability to analyse and grasp complex issues
3. An understanding of national and local government statutory and financial frameworks
4. An understanding of the Council, including the economic and social situation within Tamworth

5. The ability to understand the Council's budget especially in respect of the relevant portfolio
6. Leadership skills
7. Political knowledge and awareness
8. Ability to work effectively with Council officers, the public, the media and outside organisations
9. Ability to work as part of a team

CHAIRMAN OF A COMMITTEE

General- to include Audit and Governance Committee and Governance Committee

Purpose

1. To provide leadership of and direction to the Committee
2. To chair Committee meetings and ensure the Committee achieves its terms of reference

Duties and responsibilities

1. To encourage Committee members to obtain the necessary skills to contribute effectively to the work of the Committee and to work with officers to ensure the provision of necessary training
2. To endeavour to engage all members of the Committee in its work
3. To lead the Committee, in consultation with officers, to most effectively prioritise its Work load
4. To develop a constructive relationship with the relevant senior officers and their staff and with relevant portfolio holders
5. To be willing to learn about the professional disciplines and services relevant to the work of the Committee
6. To be available to Chair meetings and carry out other duties as Chairman, allowing sufficient time to support the work of the Committee outside meetings
7. To Chair the committee in a fair, open and balanced manner in accordance with the procedures of the committee
8. To guide, with the assistance of officers, the committee to reach legally sound decisions based on the information presented to it
9. To provide and present a report concerning the Committees activities to Council at the council meeting in April each year or at any other time as may be requested

Skills Required

1. Good communication and interpersonal skills
2. Leadership and chairmanship skills
3. Project and time management skills
4. Ability to influence and work constructively with members, officers, the public, external advisors and outside organisations
5. Ability to work as part of a team

CHAIRMAN OF A REGULATORY COMMITTEE

Purpose

1. To provide leadership and direction to the Committee
2. To demonstrate to the public and to any applicants and objectors that there is fair and open decision making by or on behalf of the Committee
4. To chair and manage Committee meetings and ensure the Committee achieves its terms of reference

Duties and responsibilities

1. To lead the Committee, in consultation with officers, in prioritising its work
2. To be available to chair meetings and carry out other Chairman duties, allowing sufficient time to support the work of the Committee outside meetings
3. To encourage Committee members to obtain the skills to contribute the work of the Committee and to work with officers to ensure the provision of necessary training to members
4. To endeavour to engage all members of the Committee in Committee activities
5. To develop a constructive and effective relationship with relevant Chief Officers and their staff
6. To be willing to learn about the professional disciplines and services relevant to the work of the Committee
7. To Chair the committee in a fair, open and balanced manner in accordance with the procedures of the committee; and ensuring an appropriate and fair hearing to applicants and objectors
8. To guide, with the assistance of officers, the committee to reach legally sound decisions based on the information presented to it
9. To work with the Officers of the Council to ensure that the Council policies and procedures in relation to the Committees activities are up to date and applied correctly
10. To provide and present a report concerning the Committees activities to Council at the Council meeting in April each year or at any other time as may be requested

Skills Required

1. Good communication and interpersonal skills
2. Leadership and excellent chairmanship skills
3. Project and time management skills
4. Ability to influence and work constructively with members, officers, the public, external advisors and outside organisations
5. Ability to work as part of a team

OVERVIEW AND SCRUTINY COMMITTEE CHAIRMAN

Purpose

1. To provide leadership of and direction to the Committee
2. To chair Committee meetings and ensure the Committee achieves its terms of reference

Duties and responsibilities

1. To encourage Committee members to obtain the necessary skills to contribute effectively to the work of the Committee in carrying out the Scrutiny Role and to work with officers to ensure the provision of necessary training
2. To endeavour to engage all members of the Committee with the scrutiny process
3. To lead the Committee, in consultation with officers, to most effectively prioritise its Work load so as to ensure effective scrutiny, paying particular regard to the Forward Plan
4. To co-ordinate work with the other Overview and Scrutiny Committee, so as to ensure that the scrutiny and review work of the Committees is not duplicated by them; and to share learning
5. To develop a constructive relationship with the Executive, especially with relevant portfolio holders
6. To develop a constructive relationship with the Chief Officers and other senior officers in the areas that the Committee scrutinises
7. To develop a constructive relationship with the relevant senior officers and their staff and with relevant portfolio holders
8. To be available to Chair meetings and carry out other duties as Chairman allowing sufficient time to support the work of the Committee outside meetings
9. To Chair the committee in a fair, open and balanced manner in accordance with the procedures of the committee
10. To provide and present a report concerning the Committees activities to Council at the Council meeting in April each year or at any other time as may be requested

Skills Required

1. Good communication and interpersonal skills
2. Leadership and chairmanship skills
3. Project and time management skills
4. Ability to influence and work constructively with members, officers, the public and outside organisations
5. Ability to work as part of a team

LEADER OF THE OPPOSITION

Purpose

1. To provide strong, clear political leadership for the main Opposition Group on the Council and act as main opposition spokesperson.
2. To promote good governance, member development, and discipline within the main Opposition Group and manage the work of members in the group.
3. To co-ordinate the participation of the Opposition Group in the business of the Council

Duties and Responsibilities

1. To provide constructive challenge of and comment upon the Council's vision, policies, strategies and the delivery of services
2. To provide strong, clear leadership in the development and co-ordination of credible alternative policies, strategies and service delivery; providing new ideas and alternative viewpoints to the council
3. To promote and support good governance of the Council and its affairs and the adherence by Opposition Group members to the Code of Conduct
4. To establish and represent the views of the Opposition Group on matters of council policy and priorities
5. To represent the Opposition Group on working parties and informal working groups
6. To play an effective part in the work of the Councils Scrutiny and Overview Committees, liaising with Committee Chairman as appropriate
7. To liaise with officers and other political groups as appropriate.

Skills required

1. Good communication and interpersonal skills
2. Ability to analyse and grasp complex issues
3. An understanding of national and local government statutory and financial frameworks
4. An understanding of the Council, including the economic and social situation within Tamworth
5. The ability to understand the Council's budget
6. Leadership skills
7. Political knowledge and awareness
8. Ability to work effectively with Council officers, the public, the media and outside organisations
9. Ability to work as part of a team

DEPUTY LEADER OF THE OPPOSITION

Purpose

To deputise for the Leader of the Opposition Group in his absence.

Duties and Responsibilities

1. To assist and work with the Leader of the main Opposition Group
2. To act in the absence of the Leader of the main Opposition Group as appropriate
3. To fulfil the duties of the Leader of the Opposition in his or her absence
4. To assist the Leader of the Opposition in specific duties as required.

Skills required

1. Good communication and interpersonal skills
2. Ability to analyse and grasp complex issues
3. An understanding of national and local government statutory and financial frameworks
4. An understanding of the Council, including the economic and social situation within Tamworth
5. The ability to understand the Council's budget
6. Leadership skills
7. Political knowledge and awareness
8. Ability to work effectively with Council officers, the public, the media and outside organisations
9. Ability to work as part of a team

**SCHEDULE 14 – PROTOCOL ON THE USE OF COUNCIL FACILITIES,
PRINTING AND POSTAGE**

1.1.2 Detailed Arrangements (printing)

Quantity Entitlement is for a maximum of 300 A4 copies per
Member per calendar month.....

**This has been increased from 100 A4 copies per Member per
calendar month**