

Constitution Review Group  
14 December 2020

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the CONSTITUTION REVIEW GROUP held on Monday 14 December 2020 at 5.00 pm via MS Teams

PRESENT:      Councillors      T.Kingsbury (Chairman)  
   F.Thomson (Vice-Chairman)

M.Cowan, G.Hayes, F.Marsh, K.Thorpe and S.Wrenn

OFFICIALS      N.Long, Corporate Director (Public Protection, Planning and  
PRESENT:      Governance)  
                         M.Martinus, Head of Law and Administration  
                         R.Baker, Head of Resources  
                         H.O'Keeffe, Service Manager (Financial Services)  
                         A.Marston, Governance Services Manager  
                         J.Anthony, Principal Governance Officer

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59.      MINUTES

The Minutes of the meeting held on 26 October 2020 were approved as a correct record and noted by the Chairman.

60.      REVIEW OF FINANCIAL PROCEDURE RULES

The Group received details of proposed changes to the Financial Regulations aspects of the constitution. Officers explained that this area of the constitution was due to be reviewed and this had coincided with recent changes made to the CIPFA Financial Management Code. It was noted that the language had been changed to refer to 'regulations' in line with industry practice, and that parts of the current text had been removed to avoid duplication and stream line the document further. There was also a move away from providing detailed instructions, and instead a focus on identifying the correct controls that were required to be put in place.

AGREED:

- The Constitution Review Group recommend to Council on 1 February 2021 to approve the proposed changes, subject to the correct references being agreed and included (highlighted yellow in the current draft document).

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61. LGA MODEL CODE OF MEMBER CONDUCT

The Group was presented with the Local Government Association's newly agreed Model Councillor Code of Conduct. Officers explained that this was an attempt to introduce a level of consistency across local authorities. Officers also informed the Group that a recent meeting of Hertfordshire Heads of Legal, some councils had indicated a willingness to adopt the Model Code, with other were still considering the issue.

The Group made the following observations:

- Much of the substance contained in the Model Code was also covered in the council's current Code of Conduct
- One main difference between the Codes was the language used. The Model Code was written in the first person and encouraged much more ownership by individual councillors
- Whilst the council's current Code of Conduct did refer to the need for councillors to be treated with respect, the Model Code contained a more detailed section. Going forward, how this might be enforced was an area that was being worked on
- A substantial change was contained in section 8 of the Model Code which provides a requirement for Members to cooperate with investigations carried out under the Code.
- The Model Code does allow additional elements to be added to it, and this would provide an opportunity for the council to incorporate the One Team ethos currently referred to in the council's current Code of Conduct
- Should the Model Code be adopted, Officers will arrange appropriate Member training and briefing, and the Model Code would be publicised on the council's website. It will also be referred in the Declaration of Interest forms Members are required to sign

AGREED:

- The Constitution Review Group recommend to the Standards Committee on 8 February 2021 to positively consider the council adopting the LGA's Model Code of Conduct and to make appropriate recommendation to the Council on 17 March 2021

62. DATES OF MEETINGS

AGREED:

The Constitution Review Group would meet in February to consider a report reviewing the new scrutiny arrangements implemented in 2020, and any other business identified. This would be with a view to providing recommendations, as appropriate, to the Council on 17 March 2021.

Meeting ended at 5.24 pm  
JA