

Governance & Ethics Committee

9 July 2021

Report title	Update from the Monitoring Officer on Governance Matters	
Cabinet member with lead responsibility	Councillor Paula Brookfield Cabinet Member for Governance	
Accountable director	David Pattison: Director of Governance	
Originating service	Governance	
Accountable employee	David Pattison Tel Email	Director of Governance 01902 553 840 David.Pattison@wolverhampton.gov.uk
Report has been considered by	Not applicable.	

Recommendation for action:

The Governance and Ethics Committee is recommended to:

1. Note the report and provide any feedback on the report.
2. Agree the proposed work programme for the Municipal Year 2021/2022 at paragraph 2.2

1.0 Purpose

- 1.1 To provide an update on the work programme and other matters within the scope of the Governance Committee's remit. The work programme was approved by the Committee at its meeting in January 2021.

2.0 Background

- 2.1 The Council's constitution sets out the remit of the Committee below:

The Governance and Ethics Committee will have responsibility for the following functions which are reserved to it:

The Governance and Ethics Committee will have the following Terms of Reference:

- a. Shall be an advisory body, comprising Councillors, dealing with governance, ethics and constitutional arrangements.*
- b. Shall, where appropriate, consider and advise the Council on matters relating to the Council's governance and Constitution, including standards of conduct, the timetable of meetings, the administrative and procedural arrangements for implementing new legislation and the terms of reference of or scheme of delegation to Council bodies.*
- c. Shall consider and advise the Council on elections and electoral arrangements, including boundary reviews, and polling districts, places and stations, where these are not the sole responsibility of the Returning Officer.*
- d. Be consulted, and may offer feedback for consideration, on elections and electoral arrangements that are the sole responsibility of the Returning Office.*
- e. Shall advise Full Council on the adoption or revision of the Councillors' Code of Conduct and Councillors' Allowances Scheme.*
- f. Shall liaise between the Council and the Ombudsman;*
- g. Shall advise the Council on the conferment of the title of Honorary Alderman or Freedom of the City;*
- h. Shall advise the Council on the making, amendment, revocation or re-enactment of bylaws and the promotion of or opposition to local or personal Bills in Parliament.*
- i. Promoting and maintaining high standards of conduct by Elected Members and coopted Members;*
- j. Making recommendations to the Council on the appointment of "independent*

persons" under the Localism Act 2011;

k. Approving and revising the Complaints Protocol which will set out the detailed procedures for considering complaints made against Elected and Co-opted Members under the Code of Conduct for Elected and Co-opted Members;

l. Considering complaints made against Elected and Co-opted Members under the Code of Conduct for Elected and Co-opted Members in accordance with the Complaints Protocol;

m. Monitoring the operation of the Code of Conduct for Elected and Co-opted Members and making appropriate recommendations to the relevant body;

n. At the request of the member or co-opted member concerned, reviewing any decision of the Monitoring Officer not to grant a dispensation in relation to disclosable pecuniary interests in accordance with Section 33 of the Localism Act 2011;

o. Monitoring the operation of the Code of Conduct for Employees and making appropriate recommendations to the relevant body;

p. Considering any other matters which are relevant to the ethical governance of the Council, its Members or Employees.

Governance and Ethics (Hearings) Sub-Committee

The Sub-Committee shall conduct hearings into allegations that a Councillor has breached the Code of Conduct for Councillors of the relevant authority in accordance with the arrangements for such hearings approved by the Council.

2.2 The proposed work programme for the year for the Committee is as follows:

Governance Committee Forward Plan for the 2020-2021 Municipal Year			
Date of Meeting	Title of Report	Lead Officer	Publication Deadline
3 September 2021	Proposed reaction to the LGBCE consultation	Laura Noonan/David Pattison	25 August 2021
	Regular Monitoring Officer Update	David Pattison	
	Further revisions to the Constitution	David Pattison	
	Petitions	Jas Kaur	
	Alderman	Jas Kaur	

22 October 2021	Regular Monitoring Officer update	David Pattison	14 October 2021
	Proposed review of Current Councillor Allowance scheme – expires in May 2022	David Pattison	
	Local Government and Social Care Ombudsman Annual Report	David Pattison	
19 November 2021	Regular Monitoring Officer update	David Pattison	11 November 2021
	Report on implementation of the LGBCE review	David Pattison	
	Review of the Corporate Code of Governance	David Pattison	
14 January 2022	Regular Monitoring Officer update	David Pattison	6 January 2022
	Election preparation update	David Pattison	
18 February 2022	Regular Monitoring Officer update	David Pattison	10 February 2022
	Constitution review	David Pattison	
25 March 2022	Regular Monitoring Officer update	David Pattison	17 March 2022
	Election update	David Pattison	

- 2.3 This report provides an update on issues coming to the Committee and any developing issues within the scope of the Committee and if they take place after the publication of the report a verbal update will be given. As always if members of the Committee wish for other items to be added they should speak to the Chair of the Committee.

3.0 Update on position

- 3.1 **Elections update** - a detailed update report is included on the agenda for the meeting and the matters that went well and the areas where there is scope for streamlining the approach.
- 3.2 **Local Government Boundary Commission for England Review** – as the Committee is aware the Commission is currently undertaking a review of the electoral arrangements for the Council. This has been the subject of a number of reports to the Committee including a detailed report to this meeting, The Commission's website for our review can be seen [here](#).
- 3.4 **Constitution revisions** – as the Committee is aware a review of the Constitution is underway with a number of changes made at the Annual meeting of Council on 19 May 2021. A detailed report on this is on the agenda for this Committee with further changes. It is important to note that the key drivers of the changes -
- seeking make it easier to follow and understand
 - tackle some changes that have been asked for by Councillors/required by legislation/suggested by other bodies or shown as necessary during recent months
 - to make governance more efficient

We are keen to ensure that the review of the constitution takes place on a regular basis so that it can be kept up-to-date.

- 3.5 **Remote meetings** – as things stand remote meetings under the Local Government Act 1972 cannot take place as the power under Section 78 of the Coronavirus Act 2020 has now lapsed. Government is considering whether amendments should be made to the legislation to allow for Councillors to be legally entitled to attend and vote remotely.

4.0 Financial implications

- 4.1 There are no financial implications arising from the recommendation in this report as Governance and Ethics Committee is simply asked to note the update and provide any feedback. [AS/01072021/Z]

5.0 Legal implications

- 5.1 This is simply an update report and no substantive decisions are made through it so there are no legal implications as such. [DP/01072021/B].

6.0 All Other Implications

- 6.1 There are no other implications arising from the recommendation in this report.

7.0 Schedule of background papers

7.1 None

8.0 Appendices

8.1 None.