

PUBLIC

**MINUTES** of a meeting of **GOVERNANCE, ETHICS AND STANDARDS COMMITTEE** held on Thursday, 19 January 2023 at County Hall, Matlock, Derbyshire, DE4 3AG.

**PRESENT**

Councillor S Swann (in the Chair)

Councillors R Flatley, C Cupit, D Muller, L Grooby, W Major and K Gillott.

Apologies for absence were submitted for Councillor B Woods and I Orford.

**1/23 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**2/23 MINUTES**

**RESOLVED** that the minutes of the meeting of the Governance, Ethics and Standards Committee held on 20 October 2022 be confirmed as a correct record and signed by the Chairman.

**3/23 MINOR CHANGE TO THE CONSTITUTION: ICP JOINT COMMITTEE AND THE HEALTH AND WELLBEING BOARD**

The Director of Legal and Democratic Services H Barrington introduced a report, asking the Committee to note that reference to the new Integrated Care Partnership (ICP) joint committee and their Terms of Reference had been included within the Council's Constitution, as well as an amended terms of reference for the Health and Wellbeing Board (HWB) which had been revised in light of the creation of the ICP and approval of the terms of reference by Cabinet.

**RESOLVED** to

- 1) Note the inclusion in the Constitution of reference to the new Integrated Care Partnership (ICP) joint committee as established by Cabinet and their terms of reference as approved by Cabinet;
- 2) Note the inclusion in the Constitution of the revised terms of reference for the Health and Wellbeing Board (HWB) at Article 14 as approved by Cabinet; and
- 3) Note that the amendments detailed will also be referred to full Council.

**4/23 MINOR CHANGE TO THE CONSTITUTION: TRADING STANDARDS –**

## **LEGISLATION UPDATE**

The Director of Legal and Democratic Services H Barrington introduced a report, notifying the Committee of minor amendments to the Constitution to update the list of legislation under which the Council's Trading Standards Service could take enforcement action.

### **RESOLVED to**

- 1) Note the decision made by the Director of Legal Services to amend the Constitution and include the updated list of legislation to enable the Trading Standards Service to undertake necessary enforcement action; and
- 2) Note that the decision will also be reported to full Council.

## **5/23 REVISIONS TO COUNCIL CONSTITUTION: DELEGATIONS RELATING TO SPECIAL SEVERANCE PAYMENTS**

The Director of Legal and Democratic Services H Barrington introduced a report, to agree delegations in the Constitution to approve special severance payments and refer these amendments to full Council for approval.

### **RESOLVED to**

- 1) Agree to amend section A4 Staffing Conditions of Appendix 1- Responsibility for Functions to the Constitution to include:
  - a) delegation to the Managing Director (as Head of Paid Service) with the approval of the Leader (as Chair of the Appointments and Conditions of Service Committee) to approve any Special Severance Payment on termination of employment between £20,000 and £100,000 in consultation with the s151 officer and Monitoring Officer;
  - b) authority for the Monitoring Officer with the agreement of the s151 officer to approve any Special Severance Payment on termination of employment between £20,000 and £100,000 where the Head of Paid Service is unable to act,
  - c) authority for the Vice-Chair of the Appointments and Conditions of Service to approve any Special Severance Payment on termination of employment between £20,000 and £100,000 where the Leader is unable to act; and
- 2) Refer the amendments to full Council for approval.

## **6/23 REVISIONS TO COUNCIL CONSTITUTION: LOCAL CHOICE FUNCTIONS**

The Director of Legal and Democratic Services H Barrington introduced a report, requesting the Committee agree amendments to the

Local Choice functions in the Constitution and a number of consequential changes and referred the amendments to full Council for approval.

**RESOLVED** to

1) Agree the amended Section G Local Choice Functions set out in Appendix 2 to the report and refers it to full Council for approval and inclusion in Appendix 1 – Responsibility for Functions of the Constitution; and

2) Agree the following amendments to the list of functions of the Full Council set out in Appendix 1 – Responsibility for Functions to the Constitution and refers them to full Council for approval:

- Add “making decisions relating to election functions”
- Amend (h) to “changing the name and status of areas and individuals”