CONSTITUTION OF THE COUNCIL

MAY 2026

AMENDMENTS:

Date	Provision	Commentary
03.06.2026	Part 2, Article 6, para. 9 (4)	Responsibility for Your Reading Passport deleted from Leisure and Culture Portfolio, as this scheme is no longer in operation.
03.06.2026	Part 6, para. 3.3.1	Travel by car mileage allowance increased from 45p to 55p per mile in line with HMRC increase.
30.06.2026	Part 4, Contract Procedure Rules	Council on 30 July 2026 approved new Contract Procedure Rules and Placement Standing Orders.
13.10.2026	Part 3, Section 3, Terms of Reference of Regulatory Committees	Council on 13 October 2026 amended the Terms of Reference for the Planning Applications Committee, to come into effect on 31 October 2026, in line with the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026

Part 1 - Summary and Explanation 5

Part 2 - Articles of the Constitution 7

Article 1 – The Constitution 7
Article 2 - Members of The Council 8
Article 3 – Citizens and The Council 10
Article 4 – The Council 11
Article 5 – Chairing the Council 12
Article 6 – The Leadership and Lead Councillors 13
Article 7 – Committees 26
Article 8 – Regulatory and Other Committees 30
Article 9 - The Standards Committee 31
Article 10 – Consultative Committees and Forums 34
Article 11 – Joint Arrangements 45
Article 12 – Officers 48
Article 13 – Decision Making 51
Article 14 – Finance and Contract Matters 54
Article 15 – Review and Revision of the Constitution 54
Article 16 – Suspension, Interpretation and Publication of the Constitution 55

Part 3 - Responsibility for Functions – Terms of Reference of Council, Committees and Delegations to Officers 57

1. Council Responsibilities 57
2. Standing Committees and Sub-Committees 60
3. Regulatory Committees 64
4. Other Committees 72
5. Appeals Bodies 77
6. Joint Committees 77
7. Officer Scheme of Delegation of Functions 88

Part 4 - Rules of Procedure 95

Council and Committee Procedure Rules (Standing Orders) 95
Access to Information Procedure Rules 115
Budget and Policy Framework Procedure Rules 121
Overview and Scrutiny Procedure Rules 123
Financial Regulations 127
Contract Procedure Rules 155
Officer Employment Procedure Rules 173

Part 5 - Codes and Protocols 177

Councillor Code of Conduct 177
Officers' Code of Conduct 189
Planning Code of Conduct 199
Protocol on Member/Officer Relations 207
Working with Reading's MPs – Guidelines 217
Council Publicity and Elections 220

Part 6 - Members' Allowances Scheme 223

Members' Allowances And Subsistence 223

Part 1 - Summary and Explanation

The Council's Constitution

Reading Borough Council has agreed a constitution which sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by the law, while others are a matter for the Council to choose.

The Constitution is divided into 16 articles which set out the basic rules governing the Council's business.

More detailed procedures and codes of practice are provided in separate rules and protocols at the end of the document.

What is in the Constitution?

Article 1 of the Constitution confirms that the Council will act within the law and the provisions of the Constitution. Articles 2 – 16 explain the rights of citizens and how the key parts of the Council operate. These are:

- Members of the Council (Article 2).
- Citizens and the Council (Article 3).
- The Council meeting (Article 4).
- Chairing the Council (Article 5).
- The Leadership and Lead Councillors (Article 6).
- Committees (Article 7)
- Regulatory and other committees (Article 8).
- The Standards Committee (Article 9).
- Consultative Committees and Forums (Article 10).
- Joint arrangements (Article 11).
- Officers (Article 12).
- Decision making (Article 13).
- Finance and contract matters (Article 14).
- Review and revision of the Constitution (Article 15).
- Suspension, interpretation and publication of the Constitution (Article 16).

How the Council operates

The Council is composed of 48 Councillors representing 16 wards. Each Councillor will normally be elected to serve for four years. The wards are represented by three Councillors, with one third of the Councillors being elected three years in four (the fourth year is a fallow year, with no local elections). Councillors are democratically accountable to residents of their ward. The overriding duty of Councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them.

The Council has a statutory duty to promote and maintain high standards of conduct by its Councillors and Co-opted Members. Councillors are asked to follow a Member Code of Conduct to ensure high standards in the way they undertake their duties. This is in part 5 of the Constitution. The Standards Committee trains and advises them on the code of conduct.

All Councillors meet together as the Council. Meetings of the Council are normally open to the public. Here Councillors decide the Council's overall policies and set the budget each year. The Council, at its Annual Meeting appoints the Leader, Lead Councillors and such Committees, Sub-Committees, Panels etc as it considers necessary to carry out the functions of the local authority.

How decisions are made

Reading Borough Council is a democratic organisation with elected members at the heart of the decision-making process. The Constitution describes the decisions that must be made by Councillors as 'key decisions'. These are described in more detail in Part 3 of the Constitution and underpin the central role of councillors in the decision-making process.

The Council operates a committee system form of governance.

The committee system is composed of four standing committees (and two sub-committees) and six regulatory or other committees, as described in Part 3 of the Constitution. Political groups are entitled to nominate members to the Committees (except the Health & Wellbeing Board), in proportion to their representation on the Council. Between them, the Committees have been delegated powers by the Council which cover all of the authority's functions.

The Council's Staff

The Council has staff working for it (called 'officers') to give advice, implement decisions and manage the day-to-day delivery of its services. Some officers have a specific duty to ensure that the Council acts within the law and uses its resources wisely. A code of practice governs the relationships between officers and members of the Council. This is included in Part 5 of the Constitution.

Part 2 - Articles of the Constitution

Article 1 – The Constitution

1.1 Powers of the Council

1.1.1 The Council will exercise all its powers and duties in accordance with the law and this Constitution.

1.2 The Constitution

1.2.1 This Constitution, and all its appendices, is the Constitution of the Reading Borough Council.

1.3 Purpose of the Constitution

1.3.1 The purpose of the Constitution is to assist in the achievement of the Council's key strategic aims by the following:

(i) Enable the Council to provide clear leadership to the community in partnership with citizens, businesses and other organisations;
(ii) Support the active involvement of citizens in the process of local authority decision-making;
(iii) Help Councillors represent their constituents more effectively;
(iv) Enable decisions to be taken efficiently and effectively;
(v) Create a powerful and effective means of holding decision-makers to public account;
(vi) Ensure that no one will review or scrutinise a decision in which they were directly involved;
(vii) Ensure that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for decisions; and
(viii) Provide a means of improving the delivery of services to the community.

1.3.2 The Council regularly publishes and reviews its Corporate Plan which is available on the Council's website.

1.4 Interpretation and Review of the Constitution

1.4.1 Where the Constitution permits the Council to choose between different courses of action, the Council will always choose that option which it thinks is closest to the purposes stated above.

1.4.2 The Council will monitor and evaluate the operation of the Constitution as set out in Article 15.

Article 2 - Members of The Council

2.1 Composition and Eligibility

(a) Composition

2.1.1 The Council will comprise 48 members, called Councillors. The Borough is divided into 16 wards, and each ward is represented by three Councillors. One Councillor is elected each year by the voters of each of the 16 wards of the authority. This is called election by thirds.

(b) Eligibility

2.1.2 Only registered voters of the Borough or those living or working there will be eligible to hold the office of Councillor.

2.2 Election and Terms of Councillors

2.2.1 The ordinary election of a third of all Councillors will be held on the first Thursday in May each year.

2.2.2 The Councillors are elected for four years.

2.3 Roles and Functions of all Councillors

(a) Key Roles

2.3.1 All Councillors will:

(i) collectively be the ultimate policymakers, set the Council's budget and Council Tax, and carry out a number of strategic and corporate management functions, through full Council;

(ii) act as community advocates and leaders by:
- promoting and representing the Borough and the local communities and bringing their views into the decision-making processes of the Council and partner agencies;
- being the advocate of and for their ward and local people and communities living within it, including responding to petitions;
- providing information to, and promoting local democracy, participation and engagement by, sections of the local community
- working with partners and other agencies to address issues that are beyond the Council's direct control

(iii) deal with individual casework and act as an advocate for ward residents in resolving particular concerns or grievances;

(iv) balance different interests identified within the ward and represent the ward as a whole;

(v) be involved in decision-making as provided by the Constitution, including:

- agreeing or amending policies, plans and strategies, and taking operational decisions through the Council, Policy Committee and relevant Committees
- taking regulatory and quasi-judicial decisions on individual planning and licensing applications;
- decisions affecting personnel matters and senior staff appointments
- appeals
- scrutinising operational decisions and their implementation, holding Lead Councillors to account, and providing an overview of policy formulation and development, through the Policy Committee and relevant Committees

- scrutinising the delivery of public services in Reading by partner organisations, and holding their decision-makers to account, through the Policy Committee and relevant Committees

(vi) be available to serve as the Council's representative on partnership bodies, appointee or nominee on outside bodies, and on school governing bodies;

(vii) maintain the highest standards of conduct and ethics.

2.4 Conduct

2.4.1 Councillors will always observe the Members' Code of Conduct, the Planning Code of Conduct, the Protocol on Member/Officer Relations, and the Protocol on Council Publicity and Elections, as set out in Part 5 of this Constitution.

2.5 Allowances

2.5.1 Councillors will be entitled to receive allowances in accordance with the Members' Allowances Scheme set out in Part 6 of this Constitution.

Article 3 – Citizens and The Council

3.1 Citizens' Rights

3.1.1 Citizens have the following rights. Their rights to information and to participate are explained in more detail in the Access to Information Rules in Part 4 of this Constitution:

(a) Voting and Petitions.

Citizens on the electoral roll for the area have the right to vote and sign a petition to request a referendum for an elected Mayor form of Constitution or a change of governance arrangements.

(b) Information.

Citizens have the right to:

(i) attend meetings of the Council and its Committees and Sub-Committees except where confidential or exempt information is likely to be disclosed, and the meeting is therefore held in private;

(ii) see reports and background papers, and any records of decisions made by the Council, and Committees and Sub-Committees of the Council; and

(iii) inspect the Council's accounts and make their views known to the external auditor.

(c) Participation.

Citizens have the right to participate in Council, Committee and Sub-Committee meetings, and to contribute to evidence gathering by Committees when undertaking overview and scrutiny exercises, as follows:

(i) by presenting a petition to the Council or Committees in line with Standing Orders 8 and 36(1)

(ii) by submitting questions to the Council or Committees in line with Standing Orders 9 and 36(2)

(iii) by speaking on individual planning applications which affect them at meetings of the Planning Applications Committee, in line with Standing Order 36A

(iv) by speaking on individual items on the agenda for Committee meetings, for up to five minutes per item at the invitation of the Chair, in line with Standing Order 36B

(d) Complaints.

Citizens have the right to complain to:

(i) the Council itself under its complaints scheme;

(ii) the Ombudsman after using the Council's own complaints scheme;

(iii) the Monitoring Officer of the Council about a breach of the Members' Code of Conduct.

3.2 Citizens' Responsibilities

3.2.1 Citizens must not be violent, abusive or threatening to Councillors or officers and must not wilfully harm things owned by the Council, Councillors or officers.

Article 4 – The Council

4.1 Meanings

Policy Framework

4.1.1 The policy framework of the authority means the plans and strategies set out in Part 3 of the Constitution.

4.1.2 The process for developing the policy framework, including adopting new plans and strategies, and the arrangements for taking decisions which are contrary to an existing policy, plan or strategy, is set out in the Budget and Policy Framework Procedure Rules in Part 4 of the Constitution.

4.2 Functions of the Council

4.2.1 The functions of the Council are set out in Part 3 of the Constitution.

4.3 Council Meetings

4.3.1 There are three types of Council meeting:

(a) the annual meeting;

(b) ordinary meetings;

(c) extraordinary meetings.

and they will be conducted in accordance with the Council and Committee Procedure Rules (Standing Orders) in Part 4 of this Constitution.

4.4 Responsibility for Functions

4.4.1 The Council will maintain the information in Part 3 of this Constitution setting out the responsibilities for the Council's functions.

Article 5 – Chairing the Council

5.1 Role and function of the Mayor

5.1.1 The Mayor and, in his or her absence, the Deputy Mayor, will have the following roles and functions:

a) Ceremonial role

To act as the first citizen of the Borough and to represent the Council at Civic and other functions where the Council is invited to be represented

To promote the image of the Council in all functions involving the Council or the Mayoralty

To attend such civic and ceremonial functions as the Council and he/she determines appropriate.

b) Chairing the Council meeting

The Mayor will be elected by the Council annually and will have the responsibility to preside over meetings of full Council so that its business can be carried out efficiently and with regard to the rights of Councillors and the interests of the community.

Article 6 – The Leadership and Lead Councillors

6.1 Legal Status

6.1.1 Having adopted a committee system form of governance, political leadership of the council will operate as a local arrangement for Reading, in accordance with the Local Government Act 1972.

6.2 Leader

6.2.1 The Annual Meeting will appoint a Councillor to be the Leader of the Council for the Municipal Year. The Annual Meeting will also appoint the Leader both to membership and the Chair of the Policy Committee of the Council.

6.2.2 The Councillor appointed as Leader will hold this office until:

(a) the next Annual Meeting of the Council; or
(b) s/he resigns from the office; or
(c) s/he is no longer a Councillor; or
(d) s/he is removed from the office by resolution of the Council

6.2.3 Any motion submitted to any Council meeting to remove the Leader from this office:

(a) must be moved, seconded and signed by a further eight Councillors as supporters;
(b) will be considered at the start of the Council meeting, after the Minutes of the last meeting have been approved and signed, and
(c) will be followed immediately by an item to appoint a new Leader of the Council

6.2.4 If the Council meeting resolves to remove the Leader from office but fails to appoint a successor, then an item to appoint a new Leader must be included on the next and successive Council agendas until a replacement Leader has been appointed.

6.3 Deputy Leader

6.3.1 The Annual Meeting will appoint a Councillor to be the Deputy Leader for the Municipal Year. The Annual Meeting will also appoint the Deputy Leader both to membership and the Vice-Chair of the Policy Committee of the Council.

6.3.2 The Deputy Leader will act in place of the Leader if the Leader is unable to act, or where the Leader asks the Deputy Leader to so act.

6.3.3 The Deputy Leader will also be a Lead Councillor and have a separate Lead Councillor portfolio.

6.4 Lead Councillors

6.4.1 The Annual Council Meeting will appoint Lead Councillors, with portfolios covering all Council services, for the Municipal Year. The Annual Meeting will also:

(a) agree the portfolio areas for each Lead Councillor
(b) appoint the Lead Councillors to be members of both the Policy Committee, and of the Committee(s) covering their portfolio areas.

6.4.2 The Deputy Leader and other Lead Councillors will hold office until:

(a) the next Annual Meeting of the Council; or
(b) they resign from office; or
(c) they are no longer Councillors; or
(d) they are removed from office by resolution of the Council.

6.4.3 Under the Local Government Act 1972, the Leader, Deputy Leader and Lead Councillors have no legal authority as individuals to exercise functions on behalf of the authority. This is not permitted under the Committee system of governance. They have the following general oversight roles:

- Political oversight and leadership of their portfolio area
- Collective oversight and leadership of the authority (together with the Leader and other Lead Councillors, as members of the Policy Committee)
- Public spokesperson for their portfolio area
- Presenting reports from portfolio services to their Committee(s), the Policy Committee and Council
- Answerable for service performance in their portfolio areas to Committee and Council

6.4.4 Full Council may, during the Municipal Year, resolve to change the portfolios of the Leadership and Lead Councillors; and to fill any casual vacancies that might arise as Deputy Leader or Lead Councillor, on the nomination of the Leader.

6.4.5 Where, during the Municipal Year, Council resolves successfully to remove the Deputy Leader or a Lead Councillor from that office, then it must also remove that Councillor from membership of the Policy Committee and make a replacement appointment to the Committee on the nomination of the Councillor's Group Leader.

6.5 Responsibility for Functions

6.5.1 The shared responsibilities of the Leadership and Lead Councillors, and their individual portfolio areas are set out below.

6.5.2 All functions of the authority will be exercised by Council, except where:

- The function has been delegated to a Committee or Sub-Committee of the Council (as set out in Part 3), in which case the decision will be taken by resolution of that Committee
- There is an existing delegation of the function to an officer or officers,
- The Council or relevant Committee or Sub-Committee, through resolution, makes a new delegation to an officer
- The Council or relevant Committee, through resolution, delegates the function to a new Committee or a new Sub-Committee.

6.5.3 In all of the above cases a Committee or Sub-Committee or officers may determine not to exercise a function delegated to them and to refer the decision back to Council or the Committee which made the delegation. Alternatively, the Council or a Committee may itself determine to exercise a function which it has delegated.

6.5.4 All delegations which fall within the Council's definition of a Key decision, as set out in Article 13 of this Constitution, will normally be taken either by Committee or, if taken under officer delegation, be recorded through the Decision Book.

6.5.5 In taking decisions, Committees will proceed in line with the Standing Orders for Meetings of Committees, set out in Part 4 of this Constitution, which also include the Decision Book.

LEADERSHIP AND LEAD COUNCILLOR PORTFOLIOS

GENERAL

The Leader, Deputy Leader and all Lead Councillors will have the general responsibility to set the strategic direction of the authority, and to ensure and monitor the effective management and delivery of services within their areas of responsibility, as Members of a collective Policy Committee, and within the following framework:

- Corporate Plan
- Sustainable Community Strategy (Reading 2050)
- Local Plan
- The Council's overall strategic objectives, the budget and policy framework of the Council, and the corporate values

- Service Improvement and Performance Management Programmes
- The budgets set for the services, and the Council's Financial Regulations
- The law, the Council's Scheme of Delegations, and Standing Orders and the Constitution

The Leadership and Lead Councillors will promote the Team Reading Values of working as a team to deliver efficiency and value for money to achieve the Council's ambitious plans to make a positive difference to residents, communities, and businesses in accordance with the aims of the Corporate Plan priorities.

General and shared responsibilities will include:

(a) as part of the Council's community leadership role, working with partners to take forward the three themes of Corporate Plan: Healthy Environment; Thriving Communities; and Inclusive Economy.

Healthy Environment:

- To listen to feedback from our residents' survey and transport consultations and make increased investments in green infrastructure.
- To make it easy for people to play their part through the choices they make about their home, transport, and waste.
- To be committed to playing our part in tackling climate change and working towards our goal of a carbon neutral town by 2030.

Thriving Communities:

- To be committed to tackling inequality in our society, to ensure everyone has an equal chance to thrive wherever they live and whatever their economic, social, cultural, ethnic or religious background.
- To invest in voluntary and community organisations, building relationships and strengthening the capacity and resilience of the sector.
- To prioritise the needs of the most marginalised groups and the most vulnerable adults and children in our communities.
- To tackle the effects of the pandemic including employment, training and skills, mental health issues and social isolation.

Inclusive Economy:

- To build on our cultural heritage to enhance our tourist industry, creating an amazing place for people to enjoy.
- To enhance education, skills and training opportunities, particularly for our more vulnerable residents.
- To invest in key infrastructure to keep Reading at the forefront of advances in technology

(b) developing, co-ordinating, promoting and implementing the Council's corporate strategies, policies, objectives and initiatives; and working together with other Lead Councillors to promote the interests of the Borough and its residents

(c) overseeing the implementation of the Council's key priorities for improvement in line with the Performance Improvement Programme

(d) overseeing, developing, monitoring and promoting services provided directly by the Council

(e) acting as client for the procurement, development, monitoring and promotion of services provided under contract to the Council

(f) exploring alternative models of service provision, including developing new partnerships to deliver services differently; and overseeing, developing and monitoring services provided by joint arrangement with partners including other Councils

(g) promoting the interests of the Borough, and of residents, businesses and other organisations; and taking a community leadership role across the public, voluntary and business sectors, to develop working links with and to monitor the work of bodies providing public services in Reading

(h) promoting consultation and new ways of engaging with the public, and devolving decisions to local communities, within the context of an evolving public engagement strategy

(i) responding to consultations from the Government and other public sector agencies

(j) putting forward nominees to represent the Council on appropriate outside bodies

(k) promoting equal opportunities, sustainability, community safety and public health in relation to the provision of the Council's services, and the delivery of services in Reading by other agencies

(l) overseeing the appropriate levels of resource required to provide the services, within corporate guidelines and service plans

(m) overseeing relations with voluntary and community organisations, their procurement and commissioning arrangements, with reference to the Voluntary Sector Strategy and recommending grants for such organisations which fall within the Lead Councillor's portfolio, within the overall grants process and budget set by the Council

(n) championing the needs of children in care as their corporate parent

(o) promoting the Council's vision and transforming services programme, and its key priority areas of value-for-money, residents and customers, and staff

(p) promoting equality and ensuring that services are delivered to the high standards expected of and set by the Council.

1. LEADERSHIP

The Leader and Deputy Leader will between them have the responsibilities set out below. The Deputy Leader will support the Leader in carrying out the responsibilities, share the responsibilities as appropriate, and deputise for the Leader in the Leader's absence.

(1) To lead the development and implementation of the Council's strategic vision and corporate plan objectives and priorities.

(2) To provide the Council's community leadership role to promote work in partnership with key stakeholders to secure the implementation of the Sustainable Community Strategy and Reading 2050 vision and Local Plan.

(3) To oversee the allocation and management of resources required to implement the Council's corporate, budgetary, and strategic objectives.

(4) To ensure the existence of effective financial management and audit arrangements (with Lead Councillor for Corporate Services & Resources).

(5) To oversee and monitor the Council's links and relations with other Berkshire authorities, partners and external bodies including:

- Promoting the Council's economic and other interests in the Borough and in Berkshire, the Thames Valley, the South East region, and beyond
- Local Enterprise Partnership
- Reading Economic and Destination Agency CIC
- Local Government Association and regional local government bodies
- Town twinning (with The Mayor)

(6) To ensure the effective delivery of Council services to the public.

(7) To oversee services on behalf of the Berkshire Unitary Authorities, under the terms of the joint management agreements concluded with the other Authorities.

(8) To oversee and monitor the Council's procurement and commissioning arrangements, and recommending grants for such organisations, with reference to the Voluntary Sector Strategy (with the Lead Councillor for Corporate Services & Resources).

(9) To oversee and monitor the Council's major procurements and infrastructure projects.

(10) To oversee the development and implementation of corporate strategies and policies, which contribute towards delivering more capacity to deliver services within local communities.

(11) To oversee public involvement with the Council, exploring and promoting new ways for the Council to engage with local people, communities and stakeholders, including use of a wide range of consultation methods.

(12) To provide quality assurance, strategic planning for community development services and monitor and challenge performance against the key measures for success set out in the Corporate Plan.

(13) To co-ordinate and monitor representation on outside organisations.

(14) To promote community use of facilities provided by other public bodies, agencies, or businesses and to oversee the development the Council's community hubs programme.

(15) To represent the interests of the Council as shareholder of companies in which the Council has a beneficial or controlling interest, including Reading Transport Limited and Homes for Reading Limited.

(16) To act as the Council's 'equalities champion' promoting equal opportunities, and to lead on the general responsibility of all Councillors to ensure that the Council's functions and services are delivered in accordance with Section 149 of the Equality Act 2010.

2. ADULT SOCIAL CARE

(1) To oversee the development and implementation of policies, strategies and procedural arrangements for the provision of the Council's adult social care functions, in accordance with the aims of the Corporate Plan priorities, in particular to: tackle inequality in our society; invest in voluntary and community organisations, building relationships and strengthening the capacity and resilience of services; prioritise the needs of the most vulnerable adults in our communities; and to tackle the effects of mental health issues and social isolation.

(2) To oversee and be a champion for support and health services to:

- Vulnerable adults
- Older people
- People with mental health problems
- People with learning disabilities
- People with physical disabilities
- Carers

(3) To provide quality assurance, strategic planning for Adult Social Care Services and monitor and challenge performance against the key measures for success set out in the Corporate Plan.

(4) To oversee and liaise with partners on commissioned and shared services and budgets.

(5) To promote good community relations and consultation, working in partnership with the voluntary sector and local interest groups.

(6) To be responsible for responses to consultation undertaken by external bodies (eg Care Quality Commission) on adult service provision in Reading, and on developments outside Reading affecting residents in Reading.

3. CHILDREN

(1) To be the Lead Councillor for all Children's services under Section 19(1) of the Children Act 2004; to be accountable for their delivery; and to exercise political responsibility for the effectiveness, availability, and value for money of all of the Council's children's services.

[NB – the Children Act 2004 specifies that these functions are also the responsibility of the Director of Children's Services]

(a) Education services – the authority's functions in its capacity as a local education authority, except those excluded under Section 18(3) of the Act (namely certain functions relating to further education, higher education, and adult education)

(b) Social Services – the authority's social services functions within the meaning of the Local Authorities Social Services Act 1970, insofar as they relate to children, and the local authority's functions for children and young people leaving care

(c) Health Services – any health-related functions exercised on behalf of an NHS body under Section 31 of the Health Act 1999, insofar as they relate to children

(d) Inter-agency Co-operation – the functions of the Children's Services Authority set out in the Children Act 2004, in particular, building and leading the arrangements for inter-agency cooperation.

(e) The functions conferred on Children's Services Authorities under the Children Act 2004.

(f) The role of the Lead Member for Children's Services is set out in detail in Statutory Guidance on the roles and responsibilities of the Director of Children's Services and the Lead Member for Children's Services. See: Directors of Child Services Statutory Guidance.

(2) To develop the local vision and drive improvements for local people, including integrated children's services, with children, young people and their families placed at the centre of their policies and activities and to communicate this vision for children to councillors, and to the boards and partnerships on which they are either present or represented.

(3) To provide a particular focus, with the Executive Director for Children's Services, on safeguarding and promoting the welfare of children across all agencies. The responsibilities of the Executive Director (statutory Director of Children's Services) and Lead Councillor (the statutory Lead Member) extend to all children receiving services in their area, irrespective of the type of school they attend, or their home local authority area.

(4) To develop, promote and implement policies, strategies, and procedural arrangements to champion children's interests both across functional boundaries within the local authority and across local partnerships to ensure that the needs of all children and young people, including the most disadvantaged and vulnerable, and their families and carers, are addressed, with a particular focus on promoting early identification and prevention.

(5) To oversee the development and implementation of the Council's Corporate Plan, Children and Young People's Plan and related strategies and policies.

(6) To be satisfied that the discharge of the authority's statutory children's services' functions is effective.

(7) To ensure the provision of the following children's services:

- Commissioning Children's Public Health 0-19 services, including health visiting and school nursing
- Adoption – through Adopt Thames Valley – and post-adoption support
- Youth Services provision (including where funded through the Housing Revenue Account)

(8) To be consulted on, and oversee and monitor the responses to inspections and consultation undertaken by external bodies (eg Ofsted and Care Quality Commission) on children's services provision in Reading, and on developments outside Reading affecting residents in Reading.

(9) To be a member of the Children's Services Improvement Board.

Corporate Parenting

(10) To contribute to, and be satisfied that the local authority demonstrates, high standards of corporate parenting, in particular by encouraging Members to promote the educational achievement and health and wellbeing of looked after children and children leaving care.

4. CLIMATE STRATEGY & TRANSPORT

(A) Environment

(1) To oversee the development and implementation of the Council's Climate Change Strategy and Action Plan along with other associated policies and strategies across Council services to address climate change and other strategic environmental issues.

(2) To lead and champion the Council's commitment to work towards achieving a carbon neutral Reading by 2030 and oversee services which contribute to the quality of the environment to deliver this aim.

(3) To work in partnership with the Environment Agency and Thames Water to promote flood prevention.

(4) To promote good community relations and consultation, working in partnership with the voluntary sector and local interest groups.

(B) Planning

(1) To oversee the implementation of the strategic planning framework for the Council, with particular reference to delivering the Council's Climate Change Strategy and Action Plan (with the Lead Councillor for Planning & Assets).

(2) To be consulted on and approve responses (with Lead Councillor for Assets & Planning), in consultation with the Director of Planning, Transport and Public Protection, on:

- Major developments outside the Borough which affect the Borough
- Regional or sub-regional planning guidance and regional transport strategy
- Other authorities' local or structure plans
- Any strategic, non-statutory supplementary planning guidance such as area plans or planning briefs

(C) Transport

(1) To provide quality assurance, strategic planning for transport and monitor and challenge performance to deliver key projects and achieve the key measures for success set out in the Corporate Plan and associated strategies and policies.

(2) To oversee the development and implementation of the Local Transport Plan to ensure that the transport elements of all major Council and private sector development initiatives contribute to the aims of the Council's transport strategy.

(3) To provide quality assurance, strategic planning for transport-related services and monitor and challenge performance against the key measures for success set out in the Corporate Plan.

(4) To ensure effective public, stakeholder and business participation in the planning and transport processes.

(5) In partnership with neighbouring authorities:

- to oversee the implementation of the Reading Area Transport Plans
- to prepare a Transport Policy and Programme, and to recommend the Local Transport Plan bid and bids for supplementary grant, Local Strategic Transport Funding and other sources of Government, European and private funding to the Council.
- To operate the Berkshire Local Transport Body Assurance Framework, and to represent the Council on the Local Berkshire Transport Body.

(6) To co-ordinate liaison with:

- Berkshire Strategic Transport Forum

(7) To be responsible for the following environmental health and public protection legislation and services within the Borough:

- Hackney Carriage Licences (including Vehicle and Drivers Licences)
- Private Hire (including Vehicle, Drivers and Operators Licences)

5. CORPORATE SERVICES & RESOURCES

(A) Audit and Financial Management

(1) To ensure the existence of effective financial and management audit arrangements, reporting any concerns to Audit & Governance Committee as necessary.

(2) To oversee the development and implementation of corporate strategies and policies to deliver compliance with the governance and auditing arrangements required by the Council's Constitution and statutory provisions.

(3) To be responsible for activities and services provided by the Executive Director of Resources, except the Finance Service, which will be exercised by the Leadership.

(4) To monitor the corporate management of the Council, and the effective delivery of its services to the public; and to oversee the Council's management processes to ensure their effective contribution to the provision of efficient, high-quality services; including the need for new services or changes in services where appropriate (with the Leadership).

(B) Equalities and Human Resources

(5) To promote equal opportunities in employment and in the provision and delivery of services, both by the Council and by other agencies providing services locally; to monitor its effectiveness of this provision; and to disseminate good practice.

(6) To oversee the development and implementation of relevant corporate strategies and policies.

(7) To be responsible for corporate Human Resources and Organisational Development activities and services.

(C) Performance Management and Service Improvement

(8) To monitor the delivery of the Council's Corporate Programme to achieve the savings and transformational change needed to ensure the Council's financial sustainability and service improvement

(9) To work with the Chief Executive and the Corporate Management Team to support performance management and service improvement to meet the objectives of the Council's vision and priorities as set out in the Corporate Plan.

(10) To promote a corporate governance framework for the Council, addressing community leadership, service delivery arrangements, structures and processes, risk management and internal controls, and standards of conduct, and to monitor its implementation.

(11) To oversee the development and implementation of relevant corporate strategies and policies.

(12) To promote a corporate framework for performance management and service planning, to identify areas of good and bad performance.

(13) To promote and oversee the development and implementation of the Performance Improvement Programme and associated corporate projects.

(14) Within the context both of corporate performance management and the overall budget situation, to review and evaluate alternative models of service provision, including developing new partnerships to deliver services differently, in consultation with the Leader and relevant Lead Councillors.

(D) Environmental Health and Public Protection

(15) To be responsible for the environmental health and public protection legislation carried out by the Resources Directorate and services within the Borough (with other Lead Councillors where appropriate).

(E) Voluntary Sector

(16) To oversee and monitor the Council's procurement and commissioning arrangements, and recommending grants for such organisations, with reference to the Voluntary Sector Strategy (with the Leadership).

(17) To oversee the corporate framework for the allocation of all grant aid to voluntary organisations, community bodies and other groups.

6. EDUCATION & PUBLIC HEALTH

(A) Education

(1) To develop, promote, and implement policies, strategies, and procedural arrangements for the provision of the Council's educational institutions, including the Council's scheme for the financing of schools.

(2) To be accountable for the delivery of the Education functions of the authority alongside the Executive Director for Children's Services.

(3) To provide quality assurance, strategic planning for education-related services and monitor and challenge performance against the key measures for success set out in the Corporate Plan.

(4) To oversee the development and implementation of policies, strategies and procedural arrangements for the provision of education functions, in accordance with the aims of the Corporate Plan priorities.

(5) To work in partnership with neighbouring local authorities, maintained schools, Academies, Free schools, the Regional Schools Commissioner and other educational providers to promote high educational standards and opportunities within Reading and for Reading children, and to ensure that the Council is able to meet its statutory duties to ensure the effective education of all local children.

(6) To co-ordinate and monitor the nomination and/or the appointment of Borough representatives on School Governing and other Educational Bodies.

(7) To be consulted on, and oversee and monitor, the responses to inspections and consultation undertaken by external bodies (eg DfE, Ofsted, and the LGA) on education provision by schools in Reading, and provision outside Reading affecting residents in Reading.

(8) To promote good community relations and consultation, with particular reference to partnerships and key stakeholders in the Education Service, parents, governors, teachers and the voluntary sector.

(9) To monitor, support and challenge the performance of schools.

(10) Adult skills and community learning including New Directions College

(11) To be responsible for the following environmental health and public protection legislation and services within the Borough:

- Environmental education and health promotion
- School Transport Drivers' Licences
- Health and safety

(B) Public Health

(1) To oversee the development and implementation of policies, strategies and procedural arrangements for the provision of the Council's public health functions under the terms of the Health & Social Care Act 2012, the National Health Service Act 2006 and the Health and care Act 2022.

(2) To seek to secure the best possible health care system for the people of Reading and to reduce health inequalities in the Borough, by working in partnership with the Integrated Care Board, the local Healthwatch, the Thames Valley Area team of the NHS Commissioning Board, and other interested stakeholders, health bodies and interested community and voluntary groups.

(3) To work with health partners, the Director of Public Health for West Berkshire, the Executive Director of Children and the Lead Councillors for Adult Social Care, and Children, to improve the health of all people in the Borough's area, in association where appropriate with other services provided by the Borough Council across all portfolio areas.

(4) To lead for the Council on the Reading Health & Wellbeing Board, and to work in conjunction with Board members to:

- Oversee the preparation of Joint Strategic Needs Assessments with the Integrated Care Boards
- Approve a strategy for meeting the local health needs identified by the Joint Strategic Needs Assessment, including through the exercise of the Council's functions
- Develop, agree and implement a shared agenda for commissioning health provision in Reading
- Monitor the award and delivery of contracts for health provision in Reading, including contracts under the joint arrangement for public health in Berkshire
- Work with the NHS and other local authorities as part of the Integrated Care System for West of Berkshire, Oxfordshire and Buckinghamshire to plan and deliver joined up health and care services, and to improve the lives of people who live and work in the area.

(5) To provide quality assurance, strategic planning for health-related services and monitor and challenge performance against the key measures for success set out in the Corporate Plan.

(6) To oversee the implementation of the health transition programme in Berkshire, including the operation of the joint arrangement for public health and the Public Health Joint Advisory Board for Berkshire.

(7) To oversee the development and implementation of relevant plans and strategies in relation to health and public protection legislation and services within the Borough.

7. ENVIRONMENTAL SERVICES & COMMUNITY SAFETY

(A) Environment

(1) To oversee the development and implementation of plans and strategies to promote the environment of local communities.

(2) To be responsible for environmental maintenance and cleansing in the Borough.

(3) To promote good community relations and consultation, working in partnership with the voluntary sector and local interest groups.

(4) To determine the position of the Borough Council in respect of the Authority's responsibilities and functions under legislation governing the Police and Fire & Rescue Services, including all matters concerned with the administration of these services.

B) Community Safety

(1) To promote good community relations and consultation, working in partnership with the voluntary sector and local interest groups.

(2) To oversee the development and implementation of corporate strategies and policies, which promote community safety.

(3) To provide quality assurance, strategic planning for community safety-related services and monitor and challenge performance against the key measures for success set out in the Corporate Plan.

(4) To have oversight of the discharge of the Council's duties under PREVENT.

(C) Public Protection and Regulation

To oversee the development and implementation of plans, and strategies within prescribed regulatory legislation in relation to premises and other licensing functions to deliver public protection measures for the Borough.

8. HOUSING

(1) To oversee the development and implementation of corporate strategies and policies, which promote the provision and improvement of housing in the Borough, including within the private sector.

(2) To be responsible for provision of the Council's housing services and other related functions, including:

- Providing housing accommodation for those households in need, either directly through the Council's own stock, or in other ways, in conjunction with Housing Associations and developers
- Managing the Council's stock of housing and garages and assessing rents of dwellings
- Temporary accommodation for those in urgent need through homelessness or emergency
- Housing maintenance services
- Housing Revenue Account-funded Anti-Social Behaviour Team

(3) To provide quality assurance, strategic planning for housing-related services and monitor and challenge performance against the key measures for success set out in the Corporate Plan.

(4) To oversee the promotion, licensing (where applicable) and enforcement of satisfactory standards in housing accommodation in the private sector, including houses in multiple occupation; action in respect of unfit individual private rented dwellings; and public safety in the case of empty properties.

(5) To promote the assessment and fulfilment of present and future housing needs, whether in the public or private sectors.

(6) To promote good community relations and consultation, working in partnership with the voluntary sector and local interest groups, including Reading Neighbourhood Network.

9. LEISURE & CULTURE

(A) Leisure, Culture and Heritage

(1) To oversee policy priorities and objectives and strategies for the provision of arts, cultural and leisure services in Reading; both directly by the Borough Council and in partnership with the private sector and other agencies; and to monitor and review provision against the Council's corporate and strategic objectives.

(2) To oversee the development and implementation of policies and strategies for the promotion of leisure, culture and heritage, in accordance with the aims of the Corporate Plan priorities.

(3) To provide quality assurance, strategic planning for leisure and cultural services and monitor and challenge performance against the key measures for success set out in the Corporate Plan.

(4) To promote:

- Tourism in the Borough
- The physical and intangible heritage of the Borough
- The development and use of waterways within Reading
- The general development of the arts and learning in Reading, including the support of community arts initiatives and the Cultural Education Partnership
- Libraries

(5) To ensure the care of the Council's historic monuments and buildings, including the Abbey Ruins, Abbey Gateway, and the Caversham Court Gazebo.

(6) To co-ordinate all non-licensing aspects of Council policy towards arts and leisure festivals and other major events.

(7) To promote good community relations and consultation, working in partnership with the voluntary sector and local interest groups.

(B) Sport and Leisure

(1) To oversee the development and implementation of the Sports Facilities Strategy.

(2) To oversee the delivery and provision of indoor recreation facilities at the Council's leisure centres and those of its leisure partners.

(3) To promote physical activity and sport development in the Borough.

10. PLANNING & ASSETS

(A) Planning

(1) To oversee the implementation of the strategic planning framework for the Council, with particular reference to:

- Local Plan
- Sites and Detailed Policies Document
- Unitary, Structure, Borough, and local plans
- Minerals
- Cross-boundary plans
- Area plans or planning briefs for strategic sites within the Borough
- Climate Change Strategy and Action Plan (with Lead Councillor for Climate Strategy & Transport)
- Community Infrastructure Levy

(2) To ensure the Council's position on strategic matters under consideration by the Joint Minerals and Waste Planning Committee is properly represented.

(3) To be consulted on and approve responses (with Lead Councillor for Climate Strategy & Transport), in consultation with the Director of Planning, Transport and Public Protection, on:

- Major developments outside the Borough which affect the Borough
- Regional or sub-regional planning guidance and regional transport strategy
- Other authorities' local or structure plans
- Any strategic, non-statutory supplementary planning guidance such as area plans or planning briefs

(4) To be responsible for overseeing the effectiveness of the following functions:

- Planning policy
- Development Management
- Planning enforcement
- Building Control

(5) To promote effective public participation in the planning process.

(B) Assets

(1) To be responsible for overseeing the effectiveness of the Corporate Asset Management Plan to make the best use of corporate land, buildings, and assets with regard to:

- Acquisitions
- Utilisation of assets
- Management of facilities
- Disposal of assets

(2) To be responsible for overseeing the effective use of the Council's assets and ensuring best value is achieved from them in accordance with the Financial Procedure Rules / Regulations.

(3) To oversee the Community Right to Bid for Assets of Community Value process.

(C) Waterways

Overarching strategic responsibility for promoting the waterways within Reading.

Article 7 – Committees

COMMITTEE SYSTEM OF GOVERNANCE

7.1 Legal Status

7.1.1 Reading Borough Council operates a committee system form of governance.

7.1.2 The committee system form of governance appoints Committees and Sub-Committees with delegated powers and membership in proportion to the representation of the individual political groups on the Council.

7.1.3 In addition, a Health and Wellbeing Board has been set up as a committee of Council under Sections 101 and 102 of the Local Government Act 1972.

7.2 Standing Committees

7.2.1 There are four Standing Committees, to discharge those functions described in Part 3 of the Constitution:

- Policy Committee
- Adult Social Care, Children's Services & Education Committee
- Housing, Neighbourhoods and Leisure Committee
- Strategic Environment, Planning & Transport

Committee	*Purpose*
Policy	▪ Oversight of strategy, policy and budget ▪ Covering all services in the Chief Executive's Office and Resources Directorate ▪ Voluntary sector grants ▪ Economic development and regeneration ▪ Corporate land, buildings and assets – including where the Council is Trustee ▪ Overview of service performance and improvement across all Council services ▪ Partnerships: To be responsible for any joint arrangements and partnership areas relevant to the Committee ▪ Decisions cutting across service committee areas ▪ Any decision between committee meetings, on an urgency basis ▪ Shareholder for Reading Transport Ltd and any other wholly-owned Council companies
Adult Social Care, Children's Services & Education	▪ Covering Adult Care, Children's Social Care, Education & Commissioning, School Improvement ▪ Education policy including school admissions, place planning, SEND and home to school transport ▪ Adult Education & Skills ▪ Health Scrutiny ▪ Safeguarding responsibilities for children and adults ▪ Partnerships: To be responsible for any joint arrangements and partnerships relevant to the functions of the committee

	▪ Developing and adopting policy in relation to the Council's Corporate Parenting responsibilities
Housing, Neighbourhoods & Leisure	▪ Covering "place" services of the authority – Environment & Consumer Services; Housing; Licensing; Neighbourhood and Community Services, Community Safety ▪ Recreation; Arts and Cultural Services ▪ Leisure and sports development ▪ Green and clean environment - streetcare, parks and sport ▪ Crime and disorder scrutiny ▪ Partnerships: To be responsible for any joint arrangements and partnerships relevant to the functions of the committee
Strategic Environment, Planning & Transport	▪ Covering Planning, Highways and Transport services of the authority ▪ Focus on strategic environment and climate change ▪ Traffic management ▪ Flood prevention scrutiny ▪ Partnerships: To be responsible for any joint arrangements and partnerships relevant to the functions of the committee

7.2.2 Committees delegate functions to Sub-Committees, under section 101 and 102 of the Local Government Act 1972.

Sub-Committee	*Appointing Committee*	*Purpose*
Trustees	Policy	To consider the Council's responsibilities for its trusts
Traffic Management	Strategic Environment, Planning & Transport	Traffic Management functions and Highways Permits

7.3 Frequency of Meetings

7.3.1. In each Municipal Year the Committees will meet as set out in the Council diary.

7.3.2. Committees may call additional meetings where required, subject to compliance with the Access to Information Procedure Rules set out in Part 4 of this Constitution, and the normal quorum for the Committee being present at the meeting, as set out in Standing Order 30.

7.4 Proceedings of Committees

7.4.1 Proceedings of Committees will take place in accordance with the Standing Orders for Council and Committees set out in Part 4 of this Constitution.

7.5 Responsibility for Functions

7.5.1 The Standing Committees may exercise all functions of the Council, except those statutorily reserved to the Council, as set out in Article 4 and Part 3, and those delegated by the Council to the Regulatory and other Committees as set out in Article 8.

7.5.2. Council will delegate functions to be exercised by individual Committees as set out in Part 3.

7.5.3. All Committees may delegate any of their functions to be exercised by a Sub-Committee of Members, or by a senior officer.

7.5.4. In addition to the functions delegated to it by Council, the Policy Committee may take operational decisions across all functions of the authority where these have been delegated by Council to other committees, in the following circumstances:

a) in between planned meetings of the committee, to avoid calling an additional meeting of the committee;
b) on grounds of urgency.

7.5.5. The Policy Committee may make joint arrangements for the exercise of any Council function (other than those statutorily reserved to full Council) with other local authorities.

7.6 Overview and Scrutiny

7.6.1 The Council, having adopted a committee system form of governance, has resolved not to appoint any separate overview and scrutiny committee(s). Therefore, it has no call-in function.

7.6.2. The statutory overview and scrutiny functions of the authority will be exercised by each Committee with regard to the services, functions and partnerships covered by the Committee; and by the Policy Committee in respect of overview or scrutiny across Council services covered by more than one Committee.

7.6.3 The statutory external scrutiny functions of the authority to be exercised by the relevant service committees, are as follows:

a) Health: Adult Social Care, Children's Services & Education
b) Crime and Disorder: Housing, Neighbourhoods and Leisure
c) Flood risk management: Strategic Environment, Planning and Transport

7.6.4 The Council's overview and scrutiny procedure rules, and Standing Order 25, will continue to apply when committees specify that they are undertaking their overview and scrutiny function; and the facility for each committee to set up and appoint task-and-finish groups will be retained, as set out in Part 4 of the constitution.

7.7 Urgent Items

7.7.1 The Policy Committee may take urgent decisions on all functions of the authority, including on behalf of other Committees, and Council, subject to the function not being reserved by statute to Council or another Committee.

7.7.2 An item of business will be urgent if the need for the decision could not have been foreseen at the preceding scheduled meeting of the relevant Committee, Policy Committee or Council, and to delay taking the decision to the next scheduled meeting of either the relevant Committee or full Council would seriously prejudice either the Council's or the public's interests.

7.7.3 In addition to 7.3.2 above, the Policy Committee may call additional meetings to deal with any such urgent items of business, subject to:

a) the meeting being called, and the agenda published in line with the Access to Information Procedure Rules in part 4 of this Constitution;
b) the Committee having a quorum of <u>three</u> members present, which includes:
   i) the Leader or Deputy Leader
   ii) the Lead Councillor responsible for the function concerned or the Chair of the responsible Committee (if different, and a Policy Committee member)

7.7.4 In exceptional cases, where it is not possible to call an urgent meeting comprising the above, the Head of Paid Service or Monitoring Officer may agree to an additional meeting of Policy Committee being held to determine an urgent item of business to prevent the Council or public interest being seriously prejudiced, with up to three different members of the Policy Committee present.

7.7.5 The facility to call additional meetings of Policy Committee to determine urgent items of business is in addition to the general facility available to all Committees to call additional meetings as set out in para. 7.3.2 above.

7.8 Membership

7.8.1 The Councillor members of each Committee and Sub-Committee shall be appointed for each Municipal Year by the Annual Council Meeting.

7.8.2 The Councillor membership of each Committee and Sub-Committee will comprise Councillors from all political groups on the Council, in proportion to the group's strength on the Council, with the exception of the Health & Wellbeing Board.

7.8.3 Council may appoint people who are not Councillors to be co-opted Members of Committees under Section 102(3) of the Local Government Act 1972, subject to these Co-opted Members not having voting rights on the Committee.

7.8.4 In the event, that the Adult Social Care, Children's Services & Education Committee establishes an Overview & Scrutiny Committee to consider education matters it will seek to include in its membership the following representatives:

1 Church of England diocese representative (at least 1)
1 Roman Catholic diocese representative (at least 1)
2 parent governor representatives (between 2 and 5)

7.8.5 The Health & Wellbeing Board will have the voting membership set out in Part 3 of the Constitution.

7.9 Advisory and Consultative Bodies, and Partnerships

7.9.1 The Council sets up, or appoints Councillors to represent it on, a number of advisory bodies and Partnerships which are set out in Article 10.

7.9.2 Partnerships and Advisory/Consultative Panels may agree to make recommendations to any relevant committee and in such cases the Committee will offer them the facility to attend the Committee meeting and to speak to the agenda item when the recommendation is discussed by the Committee.

7.10 Leader, Deputy Leader and Lead Councillors

7.10.1 The Annual Council Meeting will make appointments to these offices, and determine their portfolios, for each Municipal Year.

7.10.2 The role and operation of these offices are set out in Article 6.

Article 8 – Regulatory and Other Committees

8.1 Legal Status

8.1.1 In addition to the Standing Committees and Sub-Committees set out in Article 7, each Municipal Year, the Council will appoint the following regulatory and other committees and sub-committees to discharge its quasi-judicial, regulatory and other functions as set out in Part 3 of the Constitution:

- Licensing Applications Committee
- Licensing Applications Sub-Committee
- Planning Applications Committee
- Audit and Governance Committee
- Health and Wellbeing Board
- Personnel Committee

8.1.2 The Council will also appoint an Appeals Panel and other bodies to hear appeals in individual cases, some of which may not involve Councillors. The functions of the Appeal Panel and other bodies are set out in Part 3 of the constitution.

8.1.3 The Committees and Sub-Committees in this Article are set up under Sections 101 and 102 of the Local Government Act 1972, except the Licensing Applications Committee and its Sub-Committees which have been established in accordance with Sections 101 and 102 of the Local Government Act 1972 and Sections 6 and 9 of the Licensing Act 2003. This is in recognition of the different procedures that need to be followed when the Licensing Applications Committee is determining matters under the Licensing Act 2003 and the Gambling Act 2005 and when it is deciding on any other licensing and regulatory functions.

8.1.4 For the purposes of Sections 15-18 of the Local Government & Housing Act 1989 (political balance on committees), the duty to allocate seats to political groups in proportion to their membership of the Council will apply to all of the bodies listed below, with the following exceptions:

- Licensing Applications Sub-Committee
- Health & Wellbeing Board (application of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013)
- Appeals Panel (unless meeting not as part of a statutory appeals process)
- Secure Accommodation Panel

Article 9 - The Standards Committee

LOCAL STANDARDS COMMITTEE - TERMS OF REFERENCE AND STANDING ORDERS

9.1 Standards Committee

9.1.1 The Standards Committee is appointed by Council at its Annual Meeting

9.1.2 The purpose of the Standards Committee is to oversee and develop the Council's ethical framework which includes, but is not limited to, the following policies:

Councillor Code of Conduct
Overall standards of conduct and ethics of Members and co-opted Members of the Council
Arrangements for Dealing with Allegations of Misconduct (the "Arrangements Document")
Planning Code of Conduct
Handling Arrangements for the Council's Developments Policy
Member Officer Protocol
Policies in relation to Gifts and Hospitality

9.1.3 The Standards Committee may establish sub-committees and determine procedures for the operation of these sub-committees.

9.2 Composition

(a) Political Balance

9.2.1 The Councillor membership of the Standards Committee will comply with the political balance rules in Section 15 of the Local Government and Housing Act 1989.

(b) Membership

9.2.2 The Standards Committee will be composed of:

- Seven Councillors, subject to each registered political group on the Council having an entitlement to at least one seat
- At least one, and no more than three, co-opted Independent Member(s) (persons who are not a Councillor or an officer of the Council or who are not disqualified from being a Member of a Committee of the Council under Section 104 of the Local Government Act 1972
- Each political group may nominate named substitute members and those Councillors may attend in the place of appointed Councillors provided that they have received training similar to that received by members of the Committee
- The leader of a political group who has been appointed to the Standards Committee may not take part in an agenda item to hear a complaint about a councillor where they have conducted the Stage 1 investigation of the complaint.

(c) Chairing the Committee

9.2.3 The Council will appoint an Independent Member of the Committee to be its Chair.

(d) Quorum

9.2.4 The quorum of the Standards Committee shall be three Members, subject to Councillors from more than one political group being present.

9.2.5 The quorum of any sub-committee of the Committee shall be two members.

(e) Voting

9.2.6 Decisions by the Standards Committee shall be reached by a simple majority vote.

(f) Calling of Meetings

9.2.7 Meetings of the Standards Committee may be called by:

- the Head of Paid Service, or
- the Monitoring Officer, or
- the Leader of the Council, or
- the Leader of any registered political Group on the Council, or
- the Chair of the Standards Committee, or
- a petition signed by at least one fifth of the Councillors serving on the Council (ie ten Councillors)

9.2.8 The meeting will be held in public, under the access to information provisions of Section 100(A) of the Local Government Act 1972. The press and public may be excluded from meetings only where confidential or exempt information is being considered, as defined in the Council's Access to Information Procedure Rules (in part 4 of the Constitution), and subject to the passage of the necessary resolution.

9.3 Role and Function

9.3.1 The general terms of reference of the Standards Committee are to be:

(1) To advise and support the Council in meeting its statutory duty of promoting and maintaining high standards of conduct by Councillors and co-opted Members of the authority

(2) To assist Councillors and co-opted members of the Council to observe the local Member Code of Conduct, and to promote standards of behaviour and conduct by Members which is consistent with the seven principles of public life.

(3) To maintain the Arrangements Document, to oversee its effectiveness and direct the Monitoring Officer to publish amendments or revisions

(4) To receive and consider reports from the Monitoring Officer made under the Council's Member complaints process, concerning allegations made about Members involving a breach of the local Member Code of Conduct, and/or other associated Council protocols, in particular the Planning code of conduct and the Protocol on Member/Officer Relations.

(5) To develop the ethical framework of the Council.

(6) To monitor the probity and propriety of all aspects of Council business.

(7) To advise the Council on the adoption or amendment of local codes of conduct and associated protocols and to monitor their effectiveness.

(8) To make recommendations to the Council on any matters or issues relating to probity, propriety and general conduct where the Panel considers it appropriate to do so in the interests of maintaining the highest standards in the carrying out of the Council's functions.

(9) To refer any matter considered by the Committee for investigation by the Council's Chief Auditor (or other appropriate officer) or the Council's external auditors as it sees appropriate; the Committee may also refer any such matter to the relevant Political Group(s) for their consideration.

(10) To advise, train or arrange to train Councillors, co-opted members and church and parent governor representatives on matters relating to the local Member Code of Conduct and associated local protocols;

(11) To oversee the training delivered to Councillors, co-opted members and church and parent governor representatives to ensure that they are able to fulfil their functions effectively;

(12) To promote, oversee and monitor the register of interests of Councillors and co-opted Members of the authority, and their disclosure and declaration of disclosable pecuniary interests;

(13) To grant dispensations to Councillors, co-opted members and church and parent governor representatives from requirements relating to interests set out in the Members' Code of Conduct.

(14) To consider any other matters as the Council refers to the Committee from time to time.

Article 10 – Consultative Committees and Forums

10.1 Consultative Committees and Forums

Each Municipal Year the Council will appoint Councillors to represent it on the bodies listed below:

1. ACCESS AND DISABILITIES WORKING GROUP

(1) To campaign for improved access for people with disabilities and to act as a pressure group in identifying and promoting public awareness of problems of access for disabled people to public buildings, commercial premises, the highway network and public transport within the Borough;

(2) To monitor and review the role of the Council as an employer and as a provider of services to disabled people.

2. ADULT & CHILDREN'S SAFEGUARDING PANELS

To meet on an ad hoc basis to consider serious safeguarding case reviews or scrutinise internal/external providers where complex whole systems issues arise.

(The membership of the Adult & Children's Safeguarding Panels will be drawn from members of the Adult Social Care, Children's Services & Education Committee)

3. ALLIANCE FOR COHESION AND RACIAL EQUALITY

(1) To comment on and input to Council policies and services, with the aim of making them meet the needs of the black and ethnic minority communities in Reading.

(2) To monitor the implementation of policies and services.

(3) To promote and support new thinking.

(4) To promote understanding and harmony between different black and ethnic minority groups in Reading.

(5) To enable the exchange of information between the Council and the black and ethnic minority community.

(6) To promote cross-community and cultural events.

4. ARTS AND HERITAGE FORUM

(1) To act as an advisory, consultative and co-ordinating body on behalf of the Borough Council and other organisations in the town, including voluntary groups, in relation to the arts and heritage.

(2) To promote and develop arts, crafts and heritage in Reading, including community arts initiatives, through the involvement and cooperation of the Borough Council and local groups and organisations.

(3) To encourage participation in arts and heritage-related activities and to promote the provision and maximum use of facilities.

(4) To support educational opportunities in the development of arts, crafts and heritage in Reading.

5. CHANNEL PANEL

In compliance with the statutory requirements set out under sections 36 – 41 of the Counter Terrorism and Security Act 2015, Reading Borough Council has a Channel Panel in place for its area, has regard to the Channel duty guidance 2020 and is committed to complying with the requirements within it.

Aims of the Panel

- The aim of Prevent is to reduce the threat to the UK from terrorism by stopping people becoming terrorists or supporting terrorism. Delivery of Prevent is grounded in early intervention and safeguarding.
- Channel provides early support for anyone who is vulnerable to being drawn into any form of terrorism or supporting terrorist organisations, regardless of age, faith, ethnicity or background.
- The Channel process adopts a multi-agency approach to identify and support to individuals at risk of being drawn into terrorism.

Strategic Objectives

- Reduce the risk of a person living or working in Reading being drawn into violent extremism/terrorism.
- Establish an effective process which will allow for the identification, assessment and support of individuals who may be vulnerable to radicalisation, either through Channel and/ or other appropriate support services.
- Ensure appropriate representation of partner agencies, and other organisations as required, to form a multi-agency Channel Panel working in partnership.
- Ensure that the Channel Panel operates in accordance with the requirements of statutory guidance and make changes as required by any future changes in the guidance.
- Review the Channel Panel Terms of Reference annually.

Operational Objectives

- Risk assess referrals by drawing on the Case Management Information System Vulnerability Assessment Framework and all relevant information shared by partners to agree the most appropriate response
- Agree and record a Support Plan for each case adopted by the panel.
- Identify if appropriate a suitable intervention provider (IP) (from a list designated by the Home Office) to offer support in order to reduce the level of threat/vulnerability/risk where a case has been adopted.
- If Channel is not considered appropriate, a referral to other forms of support must be considered, and arrangements made as considered necessary.
- Accurately record decisions on an agreed proforma, including the Support Plan for everyone adopted by the Channel Panel, keeping a complete audit trail of decision making, and ensure progress reports at each panel meeting including updated VAFs.
- Conduct full reviews at 6- and 12-months following case closure, with flexibility to agree to a 3-month review if deemed appropriate.

6. CIVIC BOARD

To be the project board for the ongoing projects associated with the rationalisation of the Council's office and depot accommodation, the provision of improved office space and accommodation at Council buildings and the Masterplan for developing the former Civic Centre site area and other matters as necessary.

To consider nominations to the grant of Freedom of the Borough and make recommendations to a specially convened Council meeting to create Freemen and Aldermen and Alderwomen.

7. CLEANER AIR & SAFER TRANSPORT FORUM

(1) To propose measures to improve air quality across Reading Borough.

(2) To evaluate, improve and promote transport sustainability across the Borough.

(3) To influence Council policy and facilitate the development and direction of the Council's sustainability agenda.

(4) To identify and share best practice in relation to clean and green 'healthy streets' initiatives which promote sustainability, healthy living, energy efficiency, sustainable transport and carbon reduction.

(5) To identify and develop potential low traffic neighbourhoods.

(6) To promote and raise awareness of sustainable initiatives within the Borough and to promote improved performance across the Council and its partners.

(7) To extend networking to other relevant organisations and to maintain currency of knowledge and information within the context of transport sustainability and climate change matters.

(8) To make recommendations to the Council on sustainability and climate change matters.

(9) To support road safety initiatives, particularly for vulnerable road users.

(10) To discuss progress and delivery of the Cycling Strategy in order to identify, prioritise and optimise actions to meet the objectives of the Cycling Strategy:

- To improve the cycling environment;
- To provide better facilities for cyclists;
- To influence travel behaviour; and
- To develop skills and capacity.

8. COMMUNITY SAFETY PARTNERSHIP

(1) To manage all aspects of the implementation in Reading of the Crime and Disorder Act 1998

(2) To identify the resource demands on each partner agency

(3) To identify the operational changes required of each partner agency

(4) To co-ordinate Crime and Disorder input to the planning and strategy of partner agencies, and multi-bidding processes (eg Europe)

(5) To manage public and inter-agency consultation about Crime and Disorder strategies and plans

(6) To oversee the activities of the Safer Neighbourhood Forum, the Youth Justice Management Board, the Drugs and Alcohol Treatment Service and the Reading Anti-Social Behaviour Multi-Agency Panel

(7) To monitor and manage performance and jointly-held budgets relating to the activities of the Partnership and its sub-groups

(8) To exercise strategic oversight and scrutiny of the implementation of the Prevent duty in Reading

(9) To act as the governing body for Reading Troubled Families Programme.

9. CYCLE FORUM

To discuss progress and delivery of the Cycling Strategy in order to identify, prioritise and optimise actions to meet the objectives of the Cycling Strategy:

- To improve the cycling environment;
- To provide better facilities for cyclists;
- To influence travel behaviour; and

- To develop skills and capacity.

Such actions may be on any topic within the Cycling Strategy, including promotion, mapping, training, security, signing, route infrastructure, parking and monitoring.

10. JOINT COMMITTEE OF THE INTEGRATED CARE PARTNERSHIP

Integrated Care Boards (ICBs) are statutory bodies responsible for planning and funding most NHS services in the area. Integrated Care Systems (ICSs) are geographically based arrangements that bring together providers and commissioners of NHS services with local authorities and other local partners to plan, co-ordinate and commission health and care services. ICSs are required to establish new partnership forums called Integrated Care Partnerships (ICPs) to develop a health and care strategy for the area to integrate the services that they plan, purchase, and provide for local residents. Follow the link to the full terms of reference of the Buckinghamshire, Oxfordshire & Berkshire West Joint Committee of the ICP:

https://yourvoicebob-icb.uk.engagementhq.com/21739/widgets/61805/documents/37123

11. LOCAL JOINT FORUM

(1) To establish and maintain regular methods of negotiation and consultation between the Council and its employees, excluding matters of individual discipline, grievance, promotion or capability.

(2) To seek to prevent differences and resolve them should they arise, notwithstanding the fact that disputes are dealt with through the Council's Disputes Procedure.

(3) To implement Agreements entered into by the relevant National Joint Bodies or Provincial Councils.

(4) To refer matters to the relevant National or Provincial Council on any matter within the scope of the functions of that Council.

(5) To consider and recommend in relation to any matters of interest, including matters referred to it by the Employers or Trade Union sides, or by the Divisional Joint Forums.

(6) To make recommendations to the Personnel Committee, or other Committees of the Council, Directorate Joint Forums or other relevant bodies.

(7) Where recommendations and representations are not accepted by the Personnel Committee or by other Committees of the Council the matters shall be referred back to the Local Joint Forum for further consideration. The Local Joint Forum shall then have the right to make further recommendations to the appropriate body.

(8) To establish and maintain machinery for the promotion and encouragement of measures affecting the health, safety and welfare of the Council’s employees, to receive reports and to make recommendations for appropriate action.

(9) Any other matters of collective bargaining including staff development, equal opportunities etc.

(10) To consider and make recommendations concerning the way services are delivered.

12. OLDER PEOPLE’S WORKING GROUP

(1) To identify and promote awareness of the issues facing older people in the Reading borough;

(2) To provide a channel for older people to influence the development of local services, particularly those provided or commissioned by the Council;

(3) To improve older people’s access to information about local services;

(4) To support older people to take an active role as citizens.

13. CORPORATE PARENTING PANEL

The function of Corporate Parenting

'Corporate Parenting' is the term used to refer to the collective responsibility of the Council and our partner agencies to provide the best possible care and protection for children and young people who are 'Looked After'; that is, children and young people for whom the authority has, or shares, parental responsibility, or for whom the Authority provides care and accommodation on behalf of their parents.

The Authority also has a duty and responsibility towards care experienced young people aged 16 to 25 years.

Reading Borough Council supports the view set out by the Department for Education regarding Corporate Parenting principles, which states:

'The role that councils play in looking after children is one of the most important things they do. Local authorities have a unique *responsibility to the children they look after and their care experienced young people (relevant and former relevant children) … and the critical question that local authorities should ask in adopting such an approach is: 'would this be good enough for my child?''*

We believe that children and young people in care have the same needs – to be loved, cared for, and feel safe – as other children. We also recognise that many Children Looked After (CLA) have suffered abuse or neglect prior to coming into care and it is important that this is addressed whilst they are kept safe and their education, health and care needs are met. Children looked after and care experienced young people face unique challenges and we are committed to ensuring that our corporate parenting principles are embedded in the wider work of Reading Borough Council, so that we can work collectively to help our children looked after and our care experienced young people to address these challenges.

It is our role as corporate parents to advocate on behalf of our children looked after and our care experienced young people, and to empower them to make their own decisions in preparation for adulthood. We want all our children and young people looked after and care experienced young people to achieve their full potential and to obtain the best possible outcomes, the same outcomes that we would want for our own children.

The leadership responsibility for corporate parenting rests with the Chief Executive of the Council and as a key element of their statutory duties, the Executive Director of Children's Services, and the Lead Member for Children. However, <u>all</u> elected members and council employees, regardless of the department they are employed within, share corporate parenting responsibility for Reading's children looked after and care experienced young people.

The responsibility for corporate parenting also extends to partner agencies such as Police, Housing, Health, and schools, who, through s.10 of the Children Act 2004, have a duty to co-operate with the Council in meeting the needs of cared for and care experienced children and young people. The Headteacher of the Virtual School also has a statutory responsibility to promote the education of children looked after, and children who were previously looked after.

All sections within a local authority and all elected members have a responsibility and a positive role to play in enriching the lives of children and young people who are looked after by the authority, and their care experienced young people.

As corporate parents for our children looked after and care experienced young people, we share responsibility for ensuring that all children looked after receive a good standard of care and are able to achieve the high-quality outcomes that every parent would want for their own children or children within their family[1].

[1] This collective responsibility is laid out in the Children Act 1989. Government guidance for Councillors, *'If this were my child'* (DfES 2003)

The key corporate parenting principles which local authorities should have regard to when exercising their functions in relation to looked after children and young people[2] are captured in our corporate parenting aims. We are committed to ensuring that children looked after are able to enjoy childhoods in which they are safe, well cared for and supported to achieve their full potential. In order for them to achieve this we are committed to:

- Acting in the best interests of our children and young people and promoting their physical and mental health and wellbeing.
- Encouraging our children and young people to express their views, wishes and feelings
- Taking children and young people's views wishes and feelings into account.
- Supporting our children and young people to access and make the best use of services provided by Reading Borough Council, and our partner agencies.
- Promoting high aspirations for our children and young people and seeking to secure the best outcomes for them.
- Ensuring that our children and young people are kept safe and enabled to experience stability in their home lives, relationships and education or work.
- Preparing our children and young people for adulthood and independent living.

The role of the Corporate Parenting Panel

The Corporate Parenting Panel will take a key role in monitoring and evaluating the services provided to Reading's children and young people looked after and care experienced young people, in order to ensure that Reading Borough Council is meeting our corporate parenting responsibilities to a high standard.

The Panel will be directed and challenged by the Children in Care Council (Care2listen), Care Ambassadors (care experienced young people), and primary school aged children looked after (Care2havefun), who represent the care experienced population of Reading, to ensure that a positive impact is made, and that service delivery is making the differences that it is designed to achieve.

The Panel will:

- Promote a strong corporate parenting ethos and consider whether, and if so how, services need to be delivered differently to meet the needs of our care population as effectively as possible.
- At each Panel meeting the Participation Officer will support members of Care2listen to provide a summary report of the work that the Children in Care Council are undertaking, and share any comments, compliments and complaints made by children and young people in care.
- Corporate Parenting Panel will receive reports and representation from health and education colleagues who can assist the Panel in understanding the needs and experiences of children and young people in care and care experienced young people and help to promote service improvements and better outcomes for children and young people in care.
- Receive information from our Independent Reviewing Officer service to provide an insight into their knowledge of life in care for children in Reading, as well as from advocates, foster carers, social workers, volunteers, and other professionals.
- Consider key service reports that relate to our children and young people who are looked after and our care experienced young people. These will include (but will not be restricted to):
    - Annual Corporate Parenting Report

[2] Outlined in The Children and Social Work Act 2017

  - Voluntary Adoption Agency's annual report
  - Local Authority Fostering Service annual report
  - Independent Reviewing Officer Service annual report
  - Annual Participation Report
  - Annual Health report
  - Annual Virtual School report.

- Ensure that a whole council approach is taken to the delivery and development of services for children and young people in care and care experienced young people.

- Celebrate the individual and collective successes of children and young people in care and care experienced young people.

- Monitor the development of, and adherence to Promises to Children and Young People in Care, and Reading's Care Experienced Young People's Charter.

The Panel will not:

- Manage work programmes or overseas specific pieces of work – acknowledging that operational management needs to be given the freedom to manage.

- Be focused on the delivery of specific services – the Panel will concentrate on 'the big picture'.

- Take responsibility for the outputs and outcomes of specific services – these are best monitored at the level of the specific organisations responsible for them.

- Be the main vehicle for the voice of looked after children and young people – this will be the responsibility of the Children in Care Council (Care2listen). The Panel will however regularly listen to and respect the views of individuals and the wider looked after children's community.

The role of our Children Looked After and Care Experienced young people who attend the Panel will:

- Represent the voices and share the views of Reading children and young people in care.

- Support and guide Panel members regarding the wishes and feelings of our children and young people in care.

- Share our young people's views on whether, and if so how, services need to be delivered differently to meet the needs of our care population as effectively as possible. This will include (but not be restricted to):

  - Activities and initiatives being developed by the council.
  - The design and delivery of services and strategic initiatives
  - The quality of services
  - Participation
  - The celebration of success.
  - Influence the decisions of Panel

Meetings:

Structure, management, and agenda of meetings

- The Corporate Parenting Panel will meet on a quarterly basis (4x yearly).

- The Panel will be chaired by the Lead Councillor for Children or in their absence by the vice chair.

- Administration to the Panel will be provided by Reading Borough Council.

- The Panel will agree an annual work programme which will align with its key priority areas:
    - Safeguarding
    - Engaging with and listening to our children and young people who are looked after
    - Assessment and planning
    - Placements
    - Education, training, and employment
    - Health and wellbeing
    - Leisure, culture, and life skills
    - Leaving care.

- Any papers for Panel consideration will be sent out to Panel members a minimum of 5 working days before each Panel meeting.

Membership of the Corporate Parenting Panel

Membership of the Corporate Parenting Panel will include:

- Elected members

- Senior officers from the Directorate of Children's Services (see below)

- Senior officers from across the wider council (see below)

- Relevant strategic and operational leads from education and health (see below)

- Representative membership from key stakeholder groups (see below)

- A representative group of the children and young people who are looked after by the Council and of our care experienced young people

(Please see further details attached in Appendix 1)

Quoracy

- While the Panel will welcome and benefit from the attendance of representatives from a range of stakeholder groups, including children and young people who are looked after and care experienced, the Panel is not a decision-making body, so a minimum quorum is not required.

Conduct

- The Panel and its members will operate in accordance with the standards of behaviour and principles required of RBC employees, as set out in the council's Code of Conduct; this will apply to both councillors and any persons appointed as a co-opted member of the Panel.

Note: These Terms of Reference will be reviewed annually

Appendix 1 – Details of Membership of the Corporate Parenting Panel

Elected Members:

- The Leader of the Council
- Elected Members / Councillors with the chair of the panel being the Lead Councillor for Children.

Senior officers from the Directorate for Children's Services:

- Executive Director of Children's Services
- Director of Children's Social Care
- Head of Service, Corporate Parenting

- Head of Service, Family Help & Safeguarding
- Service Manager, Corporate Parenting
- Service Manager, Conferencing, Reviewing, LADO and Participation
- Children's Participation Officer
- Local Authority Fostering Service Manager

Senior Officers from across the wider council:

- Chief Executive Officer of RBC
- Head of Service for Housing
- Director for Adults

Strategic and operational leads from education and health

- Headteacher of the Virtual School
- Designated Nurse for Safeguarding Children and Looked After
- Named Nurse Child Protection, Royal Berkshire Foundation Trust

Stakeholders:

- An approved foster carer representing the Reading Carers' Link
- Representative membership from:
- Thames Valley Police
- Source (Drug and Alcohol Counselling Service)
- DWP (Department of Work & Pensions)
- Reading Leisure Services

Children Looked After and Care Experienced young people:

- A minimum of 2 and a maximum of 4 children and young people who are looked after by the Council and/or Reading care experienced young people.

14. PLANNING MANAGEMENT PANEL

To preview the planning applications and other items on the Agenda for the forthcoming meeting of the Committee.

15. STANDING ADVISORY COUNCIL ON RELIGIOUS EDUCATION

(1) To advise the Authority on such matters connected with religious worship in schools and the religious education to be given in accordance with an agreed syllabus as the Authority may refer to is or as it may see fit

(2) In particular, to advise on methods of teaching, the choice of materials, and the provision of training for teachers

(3) To consider, on an application made by a headteacher of any school after consultation with the governing body, whether it is appropriate for the requirement for Christian collective worship to apply in the case of the school, or in the case of any class or description of pupils at that school;

[SACRE shall arrive at its decision and communicate it to the headteacher in accordance with the provisions of Section 12 of the Education Reform Act 1988]

(4) The representative groups on the SACRE, other than that representing the Authority, may at any time require a review of any Agreed Syllabus for the time being adopted by the Authority

(5) To publish each year a report on its proceedings and those of its representative groups; to specify any matters on which the SACRE has given advice to the Authority and the reasons for offering the advice

(6) To take any action assigned to it by the Authority in relation to the consideration and disposal of any complaint concerning collective worship or religious education in compliance with Section 23 of the Education Reform Act 1988

16. SAFER READING NEIGHBOURHOOD FORUM

(1) To reduce crime and the fear of crime in Reading by establishing and supporting geographically based Safer Neighbourhood Forums;

(2) To develop and support geographically based Safer Neighbourhood Forums which will involve the Police, Councillors, Council Staff, residents and other agencies to develop effective local problem solving responses to identified local priorities and where appropriate those which are contained in the Community Safety Plans;

(3) To encourage collaboration across Reading on how best to address local issues through the sharing of best practice and jointly run projects.

17. TOWN TWINNING GROUP

To provide a forum for liaison with the Reading Town Twinning Associations, for the exchange of information, to work together as joint projects, and to promote town twinning.

18. CHILDREN'S SERVICES IMPROVEMENT BOARD

Terms of Reference

Purpose

1. Oversee and drive at pace the delivery of improved practice across Children's Services in Reading leading to better outcomes for children who need our support, including children with special educational needs and disabilities.
2. To seek assurance and triangulate data that demonstrates that improvements are embedded and sustained.
3. To ensure that all partners providing services for children in Reading are working together effectively.
4. To support the Service in focussing on 'getting the basics right' and improving the consistency and quality of social work practice within Children's social care.
5. To ensure that the Service's Improvement Plan combined with its Transformation Programme increase quality and reduce cost, delivering a sustainable Service that represents value for money.
6. To ensure the voice of children and young people is fully heard, considered and reflected both in social work practice and the work of the Board.
7. To provide assurance to the Council that appropriate scrutiny and challenge is driving sustained improvements across Children's Services.
8. To provide bi-annual progress reports to Reading Borough Council's Adult Social Care, Children's Services and Education Committee.

Approach

1. Priorities of the Board will be aligned to inspection findings, progress against inspection findings and emerging risks, and will therefore change over time. Initially they will be focussed on the findings of the Ofsted ILACS (2024) and the JTAI (2025).
2. The Board will provide scrutiny and independent challenge of the continuous practice improvement plan to support the development and delivery of consistently good and outstanding services.
3. The Board will identify barriers to improvement and take a solution-focused approach to aid problem solving.
4. The Board will monitor key performance data (which tells us about how services are doing, and what outcomes are being achieved) to ensure it is delivering on its objectives.
5. The Board will focus on the big picture.
6. The Board will be curious in its approach, adopting a positive learning culture.

Who will be on the Board and how will it work?

The Board will be a partnership of equals, and all members will be expected to be actively involved. Members of the Board will respect that we are all different and that we and our children must not be discriminated against because of age, sex, disability, race, religion, belief or sexual orientation.

Members of the Board must comply with the Council's code of conduct and the general principles of public life. The Seven Principles of Public Life - GOV.UK

Meetings will be held in person every six weeks (approx. 8 times a year). A schedule of meetings for the year will be agreed and circulated in advance.

Board members will be expected to have read papers in advance and to prepare for meetings.

Members of the Board are asked to do everything they can to attend meetings.

Board members

It is proposed that the Board will initially comprise the members set out below. However, additional members may be coopted in future subject to the agreement of the Leader, Chief Executive and Chair.

Members
Independent Chair (subject matter Expert)
DfE Improvement Advisor
Reading Borough Council Chief Executive
Lead Member for Children's Services
Executive Director of Children's Services (DCS)
Section 151 Officer
ICB senior representative
AN Other member representative

1. The Chair in consultation with the CEO and DCS will agree agendas. It is anticipated that there will be standard agenda items and reporting templates in order to track progress. However, deep dives into particular issues may also be requested.
2. The Board may request relevant officers & subject matter experts to attend to brief them on specific topics.
3. Papers will be circulated electronically 5 working days in advance of meetings.
4. Action notes will be taken and circulated within 5 working days of the meeting.

Article 11 – Joint Arrangements

11.1 General Power of Competence

Under Chapter 1 of the Localism Act 2011, the Council or a Committee with delegated responsibility for the function concerned 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.

This is subject to the Committee not entering into a joint arrangement for the discharge of the authority's functions with another local authority under Sections 101 and 102 of the Local Government Act 1972.

11.2 Joint Arrangements

11.2.1 Under Sections 101 and 102 of the Local Government Act 1972:

(a) Full Council may establish joint arrangements with one or more local authorities and/or their executives to exercise 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) Where the function to be exercised is an executive function in the other participating authorities, then full Council will establish the joint arrangement with the executives of those authorities. Such arrangements may involve the appointment of joint committees with these other local authorities.

(c) Where an authority is operating an executive form of governance, its executive may only appoint executive members to a joint committee and those members need not reflect the political composition of the local authority as a whole. This does not apply to Members appointed by Reading Borough Council which has adopted a committee system of governance.

11.2.2 The authority has entered into the joint arrangements, including joint contracts, set out in the table below:

Function	Joint arrangement with	Date	Lead authority	Committee
Adopt Thames Valley Regional Adoption Agency (RAA)	Oxfordshire, Swindon & All Berkshire except Slough; also PACT & Barnardos	2017	Oxfordshire	Adult Social Care, Children's Services & Education
Adoption Advisory Service	Berkshire-wide	1998 (post-BCC)	Windsor & Maidenhead	Adult Social Care, Children's Services & Education
Adult Placements	Wokingham	2004		Adult Social Care, Children's Services & Education

Function	Joint arrangement with	Date	Lead authority	Committee
Archaeological Services	All except West Berkshire	2004 Cabinet - March	Reading	Policy
Berkshire Community Equipment Store	Berkshire-wide	2012	Slough	Adult Social Care, Children's Services & Education
Berkshire Prosperity Board	Berkshire-wide	2024 Council - May	Wokingham	Policy
Berkshire Record Office / County Archive Service	Berkshire-wide	1998 (post-BCC)	West Berkshire – premises Reading – service / staffing	Policy
Child Care Legal Service	Berkshire-wide	1998 (ex-BCC)	Reading	Policy / ASSSE
Construction – Architecture & Design	SECE	2007 Cabinet - Sept	S113 Agreement	Policy
Coroner for Berkshire	Berkshire-wide	1998 (post-BCC) Subsequent mergers	Reading	Policy
Emergency Duty Team – Social Services	Berkshire-wide	1998 (post-BCC)	Bracknell Forest	Adult Social Care, Children's Services & Education
Emergency Planning	Berkshire-wide	Post-BCC Officer arrangement Memorandum of Understanding	West Berkshire	Policy
Joint Waste Disposal Board (Re3 contract)	Reading, Bracknell Forest, Wokingham	2006 Cabinet – July	Shared Joint Committee	Housing, Neighbourhoods & Leisure
Local Countryside & Access Forum – Mid- and West Berkshire	Reading, West Berkshire. Wokingham	2005 Decision Book - May (S94, Countryside & Rights of Way Act 2000)	Reading	Strategic Environment, Planning & Transport
Lord Lieutenancy	Berkshire-wide	1998 (post-BCC)	Reading	Policy
Modern Records	Berkshire-wide	1998 (post-BCC)	Reading	Policy
Raising Participation Partnership (Post-16)	Berkshire-wide	2010 Cabinet – March	Slough	Adult Social Care, Children's Services & Education

Function	Joint arrangement with	Date	Lead authority	Committee
School Museum Service	All except Wokingham	1998 (Post-BCC)	Reading	Policy
SCOOT – Urban traffic control system	Reading, Bracknell Forest, West Berkshire, Wokingham	1998 (post-BCC)	Reading	Strategic Environment, Planning & Transport
Sensory Needs – Service – Adults	Reading, Bracknell Forest, RBWM, Wokingham	1998 (post-BCC) Later modified	Windsor & Maidenhead	Adult Social Care, Children's Services & Education
Shared Lives Service	Reading, Wokingham		Reading	Adult Social Care, Children's Services & Education
Substance Misuse	Reading, Wokingham, West Berkshire	2010 Cabinet – Nov 09	Reading	Housing, Neighbourhoods & Leisure
Local Transport Body for Thames Valley Berkshire	Berkshire-wide – plus LEP	2013 Cabinet – Feb	Slough	Strategic Environment, Planning & Transport
Joint Health Scrutiny Committee	Reading, Wokingham, West Berkshire, Buckinghamshire, Oxfordshire			Adult Social Care, Children's Services & Education

11.3 Access to Information

(a) The Access to Information Rules in Part 4 of this Constitution apply.

(b) If all the members of a joint committee are members of the executive in each of the participating authorities then its access to information regime is the same as that applied to the executive

(c) If the joint committee contains members who are not on the executive of any participating authority then the access to information rules in Part VA of the Local Government Act 1972 will apply. This is the case for Reading Borough Council.

11.4 Delegation to and from other Local Authorities

(a) The authority may delegate functions to another local authority or, in certain circumstances, the executive of another local authority.

(b) The authority may also accept delegated functions from another local authority or, if they are executive functions, from the executive of another local authority.

(c) The decision whether or not to make or accept such a delegation with / from another local authority shall be reserved to the Council meeting.

Article 12 – Officers

12.1 Management Structure

12.1.1 The authority may appoint and employ staff under Section 112 of the Local Government Act 1972. Staff are employed by the authority. Appointment of staff below chief officer level must be the responsibility of the Head of Paid Service or his/her nominee.

12.1.2 Councils must include a standing order on the appointment of chief officers, the people who can or must be involved in the appointment of officers and disciplinary action against the Head of Paid Service, Chief Financial Officer and Monitoring Officer.

(a) **General.**

The authority may engage such staff (referred to as officers) as it considers necessary to carry out its functions.

(b) **Chief Officers**

The Council will confirm the appointment of the Chief Executive (Head of Paid Service) and the Personnel (Appointments) Committee will make appointments to the following posts (or such other similar posts as it may decide from time to time), who will be designated chief officers:

- Executive Director of Resources
- Executive Director of Communities & Adult Social Care
- Executive Director of Children's Services
- Executive Director of Economic Growth & Neighbourhood Services

(c) **Head of Paid Service, Monitoring Officer and Chief Finance Officer and Deputies**

The Council has designated the following posts as shown:

- Chief Executive - Head of Paid Service
- Director of Finance - Chief Finance Officer
- Director of Legal and Democratic Services - Monitoring Officer

The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 prescribe that the dismissal of the Head of Paid Service, Monitoring Officer and the Chief Finance Officer must be confirmed by Council.

The Council has designated the following Deputy posts as shown:

- Executive Director of Resources – Deputy Head of Paid Service
- Financial Planning and Strategy Manager – Deputy Chief Finance Officer

Such posts will have the functions described in Article 12.2–12.4 below.

(d) **Delegations**

A considerable number of decisions are made by designated officers under approved delegated powers and these are detailed in Part 3 of the Constitution. An officer may not take a key decision under the exercise of a delegated function, and all key decisions must be taken by full Council or a Committee. This process is described in Article 13.

In certain circumstances where there is no existing officer delegation, Directors and Statutory Officers may take decisions which are not key decisions in consultation with the relevant Lead Councillor, and subject to these decisions being recorded by using the Decision Book process. This process is described in Standing Order 42 (See the Rules of Procedure – Part 4 below)

12.2 Functions of the Head of Paid Service

(a) **Discharge of functions by the Council**
The Head of Paid Service will report to full Council or the Policy Committee on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.

(b) **Restrictions on functions**
The Head of Paid Service may not be the Monitoring Officer but may hold the post of Chief Finance Officer if a qualified accountant.

12.3 Functions of the Monitoring Officer

(a) **Maintaining the Constitution.**
The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for inspection by Members, staff and the public; and will advise on the application of the Constitution.

(b) **Ensuring lawfulness and fairness of decision-making**
After consulting with the Head of Paid Service and Chief Finance Officer, the Monitoring Officer will report to the full Council or to a Committee if s/he considers that any proposal, decision or omission by that body would give rise to unlawfulness, or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

(c) **Promoting and maintaining high standards of conduct by Members**
The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through promoting the local Member Code of Conduct; providing advice and support to Members of the authority and to the Standards Committee on the Code; and operating the authority's procedure for dealing with complaints about Members The Local Member Code of Conduct is in Part 5 of the Constitution. The terms of reference of the Standards Committee, and the procedure for dealing with complaints about Members, are in Article 9.

(d) **Proper officer for access to information**
The Monitoring Officer will ensure that the decisions of the Council and its Committees, together with the reasons for those decisions and relevant officer reports and background papers, are made publicly available as required by the Access to Information Rules in part 4 of the Constitution.

(e) **Advising whether decisions are within the policy framework.**
The Monitoring Officer will advise whether decisions of full Council and Committees are not contrary to the policy framework of the authority, under the Budget and Policy Framework Procedure Rules in Part 4 of the Constitution.

(f) **Contributing to corporate management**
The Monitoring Officer will contribute to the corporate management of the Council, in particular through the provision of professional legal advice.

(g) **Providing advice**
The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all Councillors.

(h) **Restrictions on posts**
The Monitoring Officer cannot be the Chief Finance Officer or the Head of Paid Service.

12.4 Functions of the Chief Finance Officer

(a) **Ensuring lawfulness and financial prudence of decision-making**
After consulting with the Head of Paid Service and the Monitoring Officer, the Chief Finance Officer will report to Council or Policy Committee, and the Council's external auditor, if s/he considers that any proposal, decision or course of action will involve incurring unlawful

expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.

(b) **Administration of financial affairs**
The Chief Finance Officer will have responsibility for the administration of the financial affairs of the Council.

(c) **Advising whether decisions are within the budget framework.**
The Chief Finance Officer will advise whether decisions of Council and its Committees are not contrary to, or not in accordance with the budget framework of the authority, under the Budget and Policy Framework Procedure Rules in Part 4 of the Constitution.

(d) **Contributing to corporate management**
The Chief Finance Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.

(e) **Providing advice**
The Chief Finance Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all Councillors and will support and advise Councillors and officers in their respective roles.

(f) **Give financial information**
The Chief Finance Officer will provide financial information to the media, members of the public and the community.

12.5 Duty to provide sufficient Resources to the Monitoring Officer and Chief Finance Officer

The Council will provide Head of Paid Service, the Monitoring Officer and Chief Finance Officer with such officers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed.

12.6 Conduct

Officers will comply with the Officers' Code of Conduct and the Protocol on Officer/Member Relations set out in Part 5 of this Constitution.

12.7 Employment

The recruitment, selection and dismissal of officers will comply with the Officer Employment Rules set out in Part 4 of this Constitution.

Article 13 – Decision Making

13.1 Responsibility for Decision Making

13.1.1 The Council has adopted a committee system of governance. Consequently, the responsibility for decision making will be determined within the statutory context of Sections 101 and 102 of the Local Government Act 1972.

13.1.2 Council will be responsible for the exercise of all functions of the authority. It may delegate functions to be exercised by individual Committees or Sub-Committees, or by a senior officer(s). Committees in turn may delegate any of their functions to be exercised by a Sub-Committee of Members, or by a senior officer; and a Sub-Committee in turn may delegate any of its functions to be exercised by a senior officer.

13.1.3 The functions delegated by Council to Committees and Sub-Committees, and their arrangements for exercising them, are set out in Part 3 of the Constitution.

13.1.4 Under Sections 101 and 102 of the Local Government Act 1972, there is no statutory power to delegate the exercise of any function to an individual Councillor, including the Leader.

13.1.5 The functions and responsibilities delegated by Council and its Committees and Sub-Committees to individual officers are set out in Part 3 of the Constitution.

13.2 Types of Decision.

13.2.1 Reserved Functions

Several functions are reserved by statute to be exercised by Council. These are set out in Article 4. Decisions relating to the functions listed in Article 4.2 must be made by Council and cannot be delegated.

13.2.2 Policy, Strategy and Budget Decisions

The authority's policy and budget frameworks are set out in Part 4 of this Constitution. Committees set policies, plans and strategies for the functions delegated to them, with the Policy Committee having the responsibility for setting the policies, plans and strategies for functions which cut across more than one committee area.

Council will continue to set the authority's budget and overall strategic direction, which the Policy Committee may recommend to it.

13.2.3 Operational Decisions

Individual Standing Committees can take decisions about the functions delegated to them.

13.2.4 Regulatory Functions

Separate Licensing Applications and Planning Applications Committees have delegated to them the licensing and planning functions

This does not preclude Council in the future from making an alternative arrangement to delegate any of these functions to a Standing Committee, or to delegate other functions to either of these Committees.

13.3 Key Decisions

13.3.1 Key Decisions are those decisions which are reserved to the Standing Committees for decision. Non-Key Decisions are delegated to officers in the terms of reference of the respective Standing Committees.

13.3.2 A Standing Committee may specifically delegate a key decision to an officer for them to make. In which case, the decision when taken by the officer, should be formally recorded by them.

13.3.3 Irrespective of these 'key decision' limits, officers should always ask themselves whether this decision might have a significant effect upon residents or communities. If it does, then they should raise the matter initially with the Lead Councillor.

13.3.4 A Key Decision is a decision:

- Where the value to the Council in terms of revenue, income or expenditure exceeds £500,000 per annum: or
- The value to the Council in terms of savings exceeds £250,000 except where such saving has been approved as part of the Council's revenue budget or Medium-Term Financial Strategy; or
- For Spend approval on capital expenditure projects (already in the capital programme) over £2.5m except for the following which is not a 'key decision':
    - Expenditure on rolling programmes of routine capital expenditure included on the capital programme (eg for housing and highways maintenance programmes)
- For expenditure of over £100k on capital preparatory/feasibility works for any capital project
- For spend approval for any capital scheme not on the capital programme
- A budget variation or virement as described in Standing Orders
- Relating to:
    - The closure of a service or an establishment within a service;
    - The externalisation of a service or a substantial part of it;
    - A variation to the Council's budget including virement or additional revenue expenditure of more than £500,000 per annum or additional capital expenditure of £2.5m, except where such expenditure has already been approved as part of the Council's revenue or capital expenditure budget or plan;
    - Decisions materially affecting the terms of joint arrangements or partnership arrangements with other local authorities or bodies;
    - A decision not in accordance with, or to vary, an approved policy, plan, or strategy;
    - Submission of a bid for funding from all available funding sources, if (a) match funding is required and (b):
        - the Council is lead partner and/or accountable body, the total costs of the scheme for which the Council will accept liability are more than £500k per annum over the length of the scheme
        - the Council is not lead partner or accountable body, the costs to the Council are more than £500k over the length of the scheme, AND the financial commitment to the Council extends beyond the current financial year
        - the Council does not have budget provision for it to make its contribution the costs of the scheme Such bids must be approved by the relevant Committee before submission.
    - A traffic regulation order proposing a major change to an existing order, and/or affecting two or more wards;
    - Approving arrangements for admissions to maintained schools where the Council is the admissions authority;

- Appointing the Council's representatives to represent the Council on outside bodies, other than casual vacancies.

13.4 Decision-making by Council

13.4.1 Subject to Article 13.8, the Council meeting will follow the Council and Committee Standing Orders set out in Part 4 of this Constitution when considering any matter.

13.5 Decision-making by Committees and Sub-Committees.

13.5.1 Subject to Article 13.8, Committees and Sub-Committees will follow the Council and Committee Standing Orders set out in Part 4 of this Constitution when considering any matter.

13.6 Decision-making by Committees when acting as Overview and Scrutiny Panels

13.6.1 The Council's Overview and Scrutiny Procedures Rules set out in Part 4 of this Constitution, and Standing Order 25, will apply when Committees which have been delegated an overview and scrutiny function specify that they are exercising this function.

13.7 Decision-making by Officers

13.7.1 Subject to Article 13.8, decision-making by officers will be by Executive Directors or Directors, where a function has been delegated to that officer, and in line with the rules of operation set out in Part 3 of the Constitution.

13.7.2 In the absence of a specific officer delegation to exercise a function, the Head of Paid Service, Executive Directors, Chief Financial Officer, or Monitoring Officer may take decisions on behalf of the Council and its Committees, subject to

a) the decision not being a key decision as defined in Article 13.3 above;
b) the decision not being statutorily reserved to Council or Committees or the Licensing Applications Committee to exercise.

13.8 Decision-making by Council Bodies acting as Tribunals

13.8.1 The Council, Councillors or officers acting as a tribunal or in a quasi-judicial manner or determining/considering (other than for the purposes of giving advice) the civil rights and obligations or the criminal responsibility of any person will follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention on Human Rights in so far as that is achievable within the statutory provisions affecting that tribunal.

Article 14 – Finance and Contract Matters

14.1 Financial Management

The management of the Council's financial affairs will be conducted in accordance with the Financial Regulations set out in Part 4 of this Constitution.

14.2 Contracts

Every contract made by the Council will comply with the Contract Procedure Rules set out in Part 4 of this Constitution unless the Council or a Committee decide otherwise.

Article 15 – Review and Revision of the Constitution

15.1 Duty to monitor and review the constitution

The Constitution will be reviewed at the Annual Meeting of the Council although this does not mean that it cannot be changed at any time where the Council decides that amendment is necessary to assist in the achievement of the objectives set out in Article 1.

15.2 Changes to the Constitution

Changes to the constitution will only be approved by the Council after consideration of a report on the proposal by the Monitoring Officer.

Article 16 – Suspension, Interpretation and Publication of the Constitution

16.1 Suspension of the Constitution

(a) **Limit to suspension.**
The Articles of this Constitution may not be suspended. The Rules specified below or any one or more of them may be suspended by the full Council to the extent permitted within those Rules and the law.

(b) **Procedure to suspend.**
A motion to suspend any rules will not be moved without notice unless at least half of the whole number of Councillors are present; and two thirds of those present vote to give permission to do so (see Standing Order 26). The extent and duration of suspension will be proportionate to the result to be achieved, taking account of the purposes of the Constitution set out in Article 1.

(c) **Rules capable of suspension.**
The following Rules may be suspended in accordance with Article 16.1:

- Council Procedure Rules (Standing Orders)
- Contract Procedure Rules
- Financial Procedure Rules
- Budget and Policy Framework Procedure Rules
- Overview and Scrutiny Procedure Rules
- Officer Employment Procedure Rules

16.2 Interpretation

The ruling of the Monitoring Officer as to the construction or application of this Constitution or as to any proceedings of the Council shall not be challenged at any meeting of the Council. Such interpretation will have regard to the purposes of this Constitution contained in Article 1.

16.3 Publication

The Monitoring Officer:

(a) will give a copy of this Constitution to each member of the authority within one month of the signature of that individual's declaration of acceptance of office on the Member first being elected to the Council.

(b) will ensure that copies are available for inspection at Council offices, libraries and other appropriate locations, and can be purchased by members of the local press and the public on payment of a reasonable fee.

(c) will ensure that the summary of the Constitution is made widely available within the area and is updated as necessary.

Part 3 - Responsibility for Functions – Terms of Reference of Council, Committees and Delegations to Officers

1. Council Responsibilities

Procedural Functions

(1) To adopt and uphold the Constitution of the Council;

(2) To agree the roles and responsibilities of all committees and keep them under review and to delegate functions to officers;

(3) To elect the Mayor and Deputy Mayor of the Council;

(4) To agree the composition and membership of all committees unless the function has been delegated by the Council;

(5) To adopt Standing Orders and Financial Procedure Rules (Regulations) for the Council and to keep them under review;

(6) To adopt a Code of Conduct for Members and any Member/Officer Protocols;

(7) To consider any report from committees;

(8) To consider any matters referred to the Council for decision.

(9) To receive any report by the Chief Executive, Monitoring Officer or Responsible Finance Officer;

(10) The appointment of representatives to outside bodies unless the appointment has been delegated by the Council

The Budget and Policy Framework

(11) Council must exercise the following functions:

(a) Approving or adopting the following the plans and strategies including any subsequent amendment, modification, variation or revocation (but subject to the exceptions mentioned in (c) below)

- The Budget, including:
  - Setting the Council Tax
  - The control of borrowing and investments
  - Capital expenditure
  - Determining the authority's minimum revenue provision and agreeing the Council's capital strategy and asset management plan;
- Plans and Alterations which together comprise the Local Plan;
- Crime and Disorder Reduction Strategy;

- Statement of Licensing Policy;
- Gambling Act Statement of Principles
- Pay Policy Statement
- Local Transport Plan;
- Youth Justice Plan.

(b) The Council must approve any part of the above plans or strategies, whether or not in draft form, which is required to be submitted to the Secretary of State.

(c) The Council must amend, modify, vary or revoke any of the above plans or strategies, once approved or adopted, unless:

- The amendment etc is required to give effect to requirements made by the Secretary of State or a Minister in relation to a plan or strategy submitted for approval, in whole or in part; OR
- Council, when approving or adopting the plan or strategy, makes an arrangement for its future amendment.

(d) The following public health document which the authority is required to prepare and publish, with its partner Integrated Care Board and involving the local Healthwatch and local people living or working in the area:

- Joint Health & Wellbeing Strategy to meet the health needs of the area included in the Joint Strategic Needs Assessment, relating to the exercise of public health functions by the authority, the NHS Commissioning Board or the Integrated Care Board. This document will be recommended by the Health and Wellbeing Board to Council for adoption.

(e) Other plans and strategies, and successor documents, may be adopted, approved, amended modified, varied or revoked by the Committee to which the subject function has been delegated, or the Policy Committee. This provision does not prevent the relevant Committee from recommending a plan or strategy to Council for consideration if it so wishes.

(12) The Council may set the strategic vision and corporate objectives of the Council;

Powers Reserved to the Council

(13) To keep under review ward boundaries and to decide the Council's response to any proposals by the Local Government Boundary Commission affecting the authority's electoral boundaries;

(14) To promote or oppose local, personal, or other Bills of Parliament;

(15) To determine the Council's Scheme for Members' Allowances after having regard to the Independent Remuneration Panel's report;

(16) To appoint the Head of Paid Service (Chief Executive); and to designate the Monitoring Officer and section 151 Officer;

(17) To make, amend, revoke, or re-enact any byelaws to apply within the unitary boundaries;

(18) Any other matter by law required to be considered or determined by the Council;

(19) Confirming the dismissal of the Head of Paid Service, Chief Finance Officer, or Monitoring Officer;

(20) Appointing the external auditors and agreeing the arrangements for their appointment;

(21) Approving the annual statement of accounts.

(22) Receiving the external auditor's annual report.

(23) To receive a report from the Audit & Governance Committee assessing its performance, which would include how it had complied with the CIPFA position statement and discharged its responsibilities.

(24) Applications to the Secretary of State in respect of any Housing Land Transfer Housing Land for approval of a programme of disposal of 500 or more properties to a person or to dispose of land used for residential purposes where approval is required under Sections 32 or 43 of the Housing Act 1985;

(25) Applications to register common land or town or village greens, except where the power is exercisable solely for the purpose of giving effect to -

(a) an exchange of lands effected by an order under section 19(3) of, or paragraph 6(4) of Schedule 3 to, the Acquisition of Land Act 1981 (c. 67) or

(b) an order under section 147 of the Inclosure Act 1845 (c. 8 & 9 Vict. c. 118);

(26) Making referrals to the Secretary of State, the regulator, or the NHS Commissioning Board arising from the exercise of the health scrutiny function of the authority;

(27) Council may take a decision in respect of any function it has delegated to a committee or officer, in place of that Committee or officer; and a Committee or officer may refer or recommend a decision in respect of a delegated function to be taken by Council.

Functions Relating to Elections and the Name and Status of Areas and Individuals

(28) To change the name of the council or its wards under Section 74 of the Local Government Act1972;

(29) To confer the title of Freedom of the Borough and Honorary Alderman under Section 249 of the Local Government act 1972;

(30) To appoint an electoral registration officer under Section 8(2) of the Representation of the People Act 1983;

(31) To appoint a returning officer for Local Government elections under Section 35 of the Representation of the People Act 1983;

(32) To divide constituencies into polling districts under Section 18 of the Representation of the People Act 1983;

(33) To divide wards and parliamentary constituencies into polling districts at local government elections under Section 31 of the Representation of the People Act 1983;

(34) To declare vacancy in office in certain cases under Section 86 of the Local Government Act 1972;

(35) To submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000 under Section 10 of the Representation of the People Act 2000;

(36) To decide whether to carry out governance and/or electoral reviews.

[Note. The balance of the electoral functions are delegated to the Returning Officer/Electoral Registration Officer which is the Executive Director of Resources. These include (but are not limited to):

- To assign officers in relation to requisitions of the registration officer under Section 52(4) of the Representation of the People Act 1983;
- To exercise all powers in respect of holding of elections under Section 39(4) of the Representation of the People Act 1983;
- To pay expenses properly incurred by electoral registration officers under Section 54 of the Representation of the People Act 1983;
- To give public notice of a casual vacancy.]

2. Standing Committees and Sub-Committees

POLICY COMMITTEE

(1) To make recommendations as appropriate on matters reserved to Council for decision, including constitutional matters and the authority's budget and overall strategic direction;

(2) To set the policy framework for those functions for which the Committee is responsible, and for functions which cut across more than one committee area;

(3) To be responsible for the authority's corporate assets and resources, in particular the financial, land and property, and information assets and resources;

(4) To ensure the corporate management of the Council, and the efficient and cost-effective delivery of its services to the public

(5) To be responsible for making Key Decisions (as defined in paragraph 13.3 of Article 13) for the following functions and services:

- Appointments to outside bodies
- Business and financial planning
- Changes to Fees and Charges
- Civic Buildings
- Compulsory Purchase Orders -The making of CPOs
- Communication
- Council Tax, NNDR, Revenues and Benefits
- Councillor Services
- Customer Services
- Economic Development and Regeneration – including town centre management
- Electoral Services
- Emergency Planning and Business Continuity
- Equalities
- Finance
- Grants to Voluntary Bodies
- Health and Safety (internal)
- Information and Communication Technology (ICT)
- Land, Property and Asset Management – acquisition, utilisation, facility management and disposal
- Legal and Democratic Services
- Local Ombudsman Investigations
- Markets
- Open Services and Procurement
- Performance Management and Service Improvement
- Public Health
- Registrars
- Voluntary sector – support and promotion

(6) To act as Trustee for the Council in respect of such charities as agreed from time to time.

(7) To promote health care, health improvement, and the reduction of health inequalities for local people.

(8) To be responsible for any joint arrangements and partnership areas, relevant to the functions of the Committee in which the authority is involved.

(9) To be responsible for the overview, service performance and improvement and scrutiny of all functions for which the Committee is responsible, and for functions which cut across more than one committee area;

(10) To exercise Powers for Community Call for Action, Petitions, and scrutiny of other Public Service Providers, as set out in the Local Government and Public Involvement in Health Act 2007 (see also Adult, Social Care, Children's Services & Education Committee below re: Health Scrutiny functions).

(11) To be responsible for decision-making in matters which cut across the delegation of functions to Committees;

(12) To act as the shareholder to the Council's wholly owned Housing Company: "Homes for Reading Limited.

(13) To act as the shareholder to the Council's wholly owned Company, Reading Transport Limited.

(14) To exercise the Council's functions and responsibilities, in relation to any other companies not specified in (12) and (13) above, in which the Council holds interests for example as shareholder or sole member. The companies include but are not limited to: Reading Economic Destination Agency (REDA); IESE; Reading-Hampshire Property Partnership.

(15) To take decisions on operational matters in functions which have been delegated to another Committee but where a decision is required out of that Committee's normal cycle of meetings;

(16) The Policy Committee may take urgent decisions on behalf of Council, subject to the function not being reserved by statute to Council.

(17) The Reading Climate Emergency Strategy and the Council's Carbon Plan - To contribute to and adopt the relevant parts of the Strategy and Plan.

(18) Delegation to Officers

(a) The responsibilities for making decisions in respect of the matters within the responsibility of this Committee (other than key decisions which are reserved to this Committee) are delegated to the Executive Directors and Directors in the corporate and senior management structure. An officer can only carry out a responsibility if:

- they (or an officer who reports to them) have budgetary or management responsibility for it and
- the constitution or the law does not require it to be carried out by someone else.

(b) Officers do not have to use their delegated powers: they can ask the person or body that delegated the power to them to make a decision or refer the matter to the relevant committee. Officers who have had something delegated to them can authorise officers they line manage to do it on their behalf (unless it was delegated on condition that they do it themselves).

(c) The Committee can at any time take back responsibilities they have delegated or decide to delegate them on certain conditions.

Trustees' Sub-Committee

To act as Trustee for the Council and consider and respond to any proposal made by any organisation, including the local authority, which might affect the objectives of the charitable trusts below:

- Mapledurham Playing Fields
- Albert Road Recreation Ground
- Blagrave Recreation Ground
- Cintra Playing Fields
- Grove Road Allotments (Poor's Allotments)
- King George V Gardens (Eldon Square)
- Robert Hewitt Recreation Ground
- Sol Joel Playing Fields

ADULT SOCIAL CARE, CHILDREN'S SERVICES & EDUCATION COMMITTEE

(1) To be the authority's Education and Social Services Committee.

(2) To be responsible for and take key-decisions the statutory and non-statutory functions relating to the services listed below, and to set the policy framework for those functions for which the Committee is responsible:

a. Adult Social Care
b. Children's Services
c. Education
d. Health
The Health Scrutiny function (see below), except scrutiny of "Quality Accounts" from Acute sector which is delegated to the Health and Wellbeing Board

(3) To be responsible for any joint arrangements and partnerships relevant to the functions of the committee in which the authority is involved.

(4) To be responsible for the overview, service performance and improvement and scrutiny of all functions for which the Committee is responsible.

(5) To undertake the health scrutiny functions of the local authority under Section 244 of the National Health Services Act 2006 as amended by Sections 190 and 191 of the Health & Social Care Act 2012.

(6) To provide a corporate framework for the scrutiny of Children's Services as set out in the Children Act 2004 and to ensure effective accountability for providing a focus_on the needs of children across all services of the Council, and the integration of all public services provided to children by the Council, health, and other partners.

(7) Reading Climate Emergency Strategy and the Council's Carbon Plan - To contribute to and adopt the relevant parts of the Strategy and Plan.

(8) Changes to Fees and Charges.

(9) Delegation to Officers

(a) The responsibilities for making decisions in respect of the matters within the responsibility of this Committee (other than key decisions) are delegated to the officers in the corporate and senior management structure. An officer can only carry out a responsibility if:

- they (or an officer who reports to them) have budgetary or management responsibility for it and
- the constitution or the law does not require it to be carried out by someone else.

(b) Officers do not have to use their delegated powers: they can ask the person or body that delegated the power to them to make a decision or refer the matter to the relevant committee. Officers who have had something delegated to them can authorise officers they line manage to do it on their behalf (unless it was delegated on condition that they do it themselves).

(c) The Committee can at any time take back responsibilities they have delegated or decide to delegate them on certain conditions.

HOUSING, NEIGHBOURHOODS AND LEISURE COMMITTEE

(1) Subject to officer delegations, to be responsible for the statutory and non-statutory functions relating to the services and areas of responsibility listed below, and to set the policy framework for those functions for which the Committee is responsible:

a. Housing
b. Neighbourhoods

- Environmental and public protection
- Environmental maintenance and cleansing
- Community Safety
- Community Capacity Development

c. Recreation including allotments, parks and open spaces and sports development

d. Arts and Cultural Services

(2) To be responsible for any joint arrangements and partnerships, relevant to the functions of this Committee, in which the authority is involved.

(3) To be responsible for the overview, service performance and improvement and scrutiny of all functions for which the Committee is responsible.

(4) To undertake the crime and disorder scrutiny functions of the local authority under Section 19 of the Police & Justice Act 2006; and in accordance with the Crime and Disorder (Overview and Scrutiny) Regulations 2009, to act as the crime and disorder committee of the Council.

(5) Reading Climate Emergency Strategy and the Council's Carbon Plan - To contribute to and adopt the relevant parts of the Strategy and Plan.

(6) Changes to Fees and Charges.

(7) Delegations to Officers

a. The responsibilities for making decisions in respect of the matters within the responsibility of this Committee (other than key decisions) are delegated to the officers in the corporate and senior management structure. An officer can only carry out a responsibility if:

- they (or an officer who reports to them) have budgetary or management responsibility for it and
- the constitution or the law does not require it to be carried out by someone else.

b. Officers' use of delegated powers

- Officers do not have to use their delegated powers: they can ask the person or body that delegated the power to them to make a decision or refer the matter to the relevant committee.
- Officers who have had something delegated to them can authorise officers they line manage to do it on their behalf (unless it was delegated on condition that they do it themselves).

c. The Committee can at any time take back responsibilities they have delegated or decide to delegate them on certain conditions.

STRATEGIC ENVIRONMENT, PLANNING & TRANSPORT COMMITTEE

(1) Subject to officer delegations, to be responsible for the statutory and non-statutory functions relating to the services and areas of responsibility listed below, and to set the policy framework for those functions for which the Committee is responsible:

a. Strategic Environment matters, including:

- Agenda 21 and biodiversity
- Air quality, noise, and radiation
- Contaminated land
- Flood prevention
- Recycling and waste disposal (not operational matters – see Housing Neighbourhoods and Leisure Committee)
- Woodlands Plan

b. Planning and Building Control (other than those regulatory functions reserved to the Planning Applications Committee)
c. Highways & Transport and Car Parking

(2) To be responsible for any joint arrangements and partnerships, relevant to the functions of the Committee in which the authority is involved:

(3) To be responsible for the overview, service performance and improvement and scrutiny of all functions for which the Committee is responsible

(4) To review and scrutinise the exercise of flood risk management functions by the lead local authority under Section 9FH of the Local Government Act 2000 (as amended by Schedule 2 to the Localism Act 2011)

(5) Reading Climate Emergency Strategy and the Council's Carbon Plan - To contribute to and adopt the relevant parts of the Strategy and Plan.

(6) Changes to Fees and Charges.

(7) Delegation to Officers

a. The responsibilities for making decisions in respect of the matters within the responsibility of this Committee (other than key decisions) are delegated to the officers in the corporate and senior management structure. An officer can only carry out a responsibility if:

- they (or an officer who reports to them) have budgetary or management responsibility for it and
- the constitution or the law does not require it to be carried out by someone else.

b. Officers' use of delegated powers

- Officers do not have to use their delegated powers: they can ask the person or body that delegated the power to them to make a decision or refer the matter to the relevant committee.
- Officers who have had something delegated to them can authorise officers they line manage to do it on their behalf (unless it was delegated on condition that they do it themselves).

c. The Committee can at any time take back responsibilities they have delegated or decide to delegate them on certain conditions.

3. Regulatory Committees

LICENSING APPLICATIONS COMMITTEE

All members of the Licensing Applications Committee may serve on a Sub-Committee. The Monitoring Officer is delegated to select members to serve on a sub-committee on a case-by-case basis.

This Committee will act as the Council's statutory licensing committee under Section 6 of the Licensing Act 2003 and referenced in Section 154 of the Gambling Act 2005 and will discharge the functions reserved to the Committee under those two Acts.

The Committee is also set up under Sections 101 and 102 of the Local Government Act 1972 to exercise any other licensing and registration functions not specified in the Licensing Act 2003 and the Gambling Act 2005, which include, but are not limited to, those responsibilities listed in the Local Authorities (Functions and Responsibilities) Regulations, 2000.

Under Section 6(1) of the Licensing Act 2003, the Committee must have at least 10, but no more than 15, members.

1. Subject to officer delegations, to determine the following functions under the Licensing Act 2003 and any regulations or orders made under that Act:

   a. Application for personal licence where a relevant representation is made by the Responsible Authority (Police);
   b. Application for premises licence/club premises certificate where a relevant representation is made and not withdrawn;
   c. Applications to vary designated premises supervisor where a relevant representation is made by the Responsible Authority (Police);
   d. Application for provisional statement if a relevant representation is made and not withdrawn;
   e. Application to vary premises licence/club premises certificate if a relevant representation is made and not withdrawn;
   f. Applications for transfer of premises licence where a relevant representation is received from the Responsible Authority (Police);
   g. Consideration of an objection from a Responsible Authority (Police) made to an interim authority notice;
   h. Any application to review premises licence/club premises certificate;
   i. Decision to give counter notice following Police objection to a temporary event notice;
   j. Decision to object when Local Authority is a consultee and not the lead authority.

The Committee and Sub-Committees will operate in accordance with the Licensing Act 2003 (Hearings) Regulations 2005 when determining matters under the Licensing Act 2003.

2. Subject to officer delegations, to determine the following functions under the Gambling Act 2005

   a. Application for a licence (including for variation and provisional statement) where relevant representations have been made and not withdrawn
   b. Application for the transfer of a licence where relevant representations have been received from the Gambling Commission;
   c. Applications for the review of a licence
   d. Applications for club gaming / club machine permits where the Director Planning, Transport & Public Protection is minded to refuse;
   e. The cancellation of club gaming/club machine permits where relevant representations have been received and not withdrawn;
   f. Decision to give a counter notice to a temporary use notice.

The Committee and Sub-Committees will operate in accordance with Gambling Act 2005 (Proceedings of Licensing Committees and Subcommittees) (Premises Licences and Provisional Statements) (England and Wales) Regulations 2007 when determining matters under the Gambling Act 2005.

3. In relation to Sex Establishments and Sexual Entertainment Venues

   a. The determination of applications for grant, variation, renewal, or transfer of licences where objections or representations have been received
   b. The decision to revoke a licence

4. In relation to hackney carriage and private hire licensing:

   a. In relation to the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847 to determine appeals against decisions taken by the Director of Planning, Transport & Public Protections Services under delegated authority to revoke, refuse to grant or renew, hackney carriage, private hire, and School Transport drivers and operators' licences;

   b. To determine whether a charge should be made and where applicable, the level of such fees and charges for the issue, approval, consent, licence or permit, or other registration pursuant to powers set out in the Local Government (Miscellaneous Provisions) Act 1976 and the Local Government (Miscellaneous Provisions) Act 1982;

   c. To determine applications for the revision of the taxi fare tariff pursuant to section 65 of the Local Government (Miscellaneous Provisions) Act 1976

5. To approve and monitor all policies relating to the above licensing functions and recommend to the Council changes to those policies where the Committee considers it appropriate to do so or where the matter is reserved to Council to determine.

6. To determine applications for, and revocations of, a scrap metal Site or Collector's licence where a relevant representation is received against a proposal to refuse or revoke.

7. To determine appeals against a decision taken under delegated powers, to refuse an application for approval of premises, or to revoke any approval granted under the Marriage Act 1994.

The Committee and Sub-Committees will follow its local procedure in accordance with the Standing Orders set out in the Constitution when making decisions on all those licensing and regulatory functions, which are not being considered under the Licensing Act 2003 and Gambling Act 2005.

8. To promote equal opportunities, sustainability, and community safety in relation to the provision of the committee's services.

9. Delegations to Officers

   a. The responsibilities for making decisions in respect of the matters within the responsibility of this Committee (other than those reserved to the committee at 1-4 above) are delegated to the officers in the corporate and senior management structure. An officer can only carry out a responsibility if:

      - they (or an officer who reports to them) have budgetary or management responsibility for it and
      - the constitution or the law does not require it to be carried out by someone else.

   b. Officers' use of delegated powers

      - Officers do not have to use their delegated powers: they can ask the person or body that delegated the power to them to make a decision or refer the matter to the relevant committee.
      - Officers who have had something delegated to them can authorise officers they line manage to do it on their behalf (unless it was delegated on condition that they do it themselves).

   c. The Committee can at any time take back responsibilities they have delegated or decide to delegate them on certain conditions.

PLANNING APPLICATIONS COMMITTEE

1. Subject to Statute and officer delegations the determination of:

   - applications for planning permission;
   - approval of reserved matters;
   - variations of conditions (Section 73 applications);
   - variations of legal agreements or planning obligations (deeds of variation);
   - advertisement consent;
   - listed building consent;
   - permission in principle;
   - biodiversity gain plans;
   - works affecting trees covered by tree preservation order.

2. Subject to applicable regulations, the Committee will determine the following applications where agreed by the nominated officer and the nominated member:

   - Applications submitted by serving councillors and employees of the Council, or where they otherwise have an interest.

Applies to applications for planning permission, approval of reserved matters, variations of conditions, modifications or discharge of legal agreements or planning obligations, advertisement consent, listed building consent, permission in principle, biodiversity gain plans and works affecting trees covered by tree preservation order or in conservation areas.

- Applications submitted by the Council

  Applies to applications for planning permission, approval of reserved matters, variations of conditions (Section 73 applications), variations of legal agreements or planning obligations (deeds of variation), advertisement consent, listed building consent, permission in principle, biodiversity gain plans and works affecting trees covered by tree preservation order.

3. The Committee will determine the following matters where the nominated officer and nominated member agree that the Gateway Test is met. In a case where agreement cannot be reached the application is to be delegated to officers to determine. The Gateway Test is defined in regulations as being that the application (a) raises a significant planning matter having regard to the development plan and any other material considerations and/or (b) raises an economic, social or environmental issue of significance to the local area. Should the definition in the Regulations change, the most up-to-date version of the Gateway Test will be applied:

   - 'Major' applications within the Borough

     Major development, i.e. applications for full or outline planning permission, variations of conditions (Section 73 applications), or modifications or discharge of legal agreements or planning obligations (deeds of variation) for building or engineering work involving new development or change of use comprising: (i) provision of dwellinghouses consisting of 10 or more dwellings or, where the number of dwellings is not known, on an application site of 0.5 ha or more; (ii) in the case of development other than dwellinghouses where 1,000 sq. m or more of floorspace is to be created; (iii) development on an application site of 1 ha or more; (iv) winning or working minerals or use of land for minerals working deposits; and/or (v) development for treating, storing, processing or disposing of waste.

   - Approval of reserved matters for large outline developments

     Applications for approval of reserved matters in respect of an outline permission for 500 dwellings or more or a building or buildings where the floorspace to be created is 50,000 sq. m or more.

   - Listed building consent

     Only when forms part of a proposal that also requires planning permission in any of the above categories.

4. The making of a Tree Preservation Order will be considered by Planning Applications Committee where an objection has been received within the specified time.

5. Other decisions to be determined by Planning Applications Committee only:

   - Additions or removal of properties from the List of Locally-Important Heritage Assets.
   - To serve direct action notices.
   - To approve street names.

6. For the purposes of this section the "nominated member" is to mean the following:

   - The Chair of Planning Applications Committee; or
   - In the event that the Chair of Planning Applications Committee is absent or is the applicant for or otherwise has an interest in the application to be considered for referral, the Vice Chair of Planning Applications Committee; or
   - In the event that the Chair and Vice Chair of Planning Applications Committee are absent and/or are the applicant for or otherwise have an interest in the application to be considered for referral, the Lead Member for Planning and Assets.

7. For the purposes of Regulation 3(1)(a) of The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 the "nominated officer" is to mean the following:

- The Head of Planning/Development Manager; or
- In the event that the Head of Planning/Development Manager is absent or is the applicant for or otherwise has an interest in the application to be considered for referral, a Planning Team Leader.

Delegations to Officers

a. The responsibilities for making decisions in respect of the matters within the responsibility of this Committee other than those set out in section 2,3, 4 and 5 above, are delegated to the officers in the corporate and senior management structure.

b. An officer can only carry out a responsibility if:

- they (or an officer who reports to them) have budgetary or management responsibility for it and the constitution or the law does not require it to be carried out by someone else.

c. Officers' use of delegated powers

- Officers do not have to use their delegated powers: subject to Statute, they can ask the person or body that delegated the power to them to make a decision or refer the matter to the relevant committee.
- Officers who have had something delegated to them can authorise officers they line manage to do it on their behalf (unless it was delegated on condition that they do it themselves).
- The Committee can at any time take back responsibilities they have delegated or decide to delegate them on certain conditions unless such responsibilities are to be delegated to officers under relevant legislation.

TRAFFIC MANAGEMENT SUB-COMMITTEE

(1) To act as a greater Reading consultative body to promote public transport, cycling and walking within Reading;

(2) To consult with operators of public transport services, cyclists, pedestrians, and users of public transport in Reading, on matters affecting transportation in the Reading area;

(3) To receive and hear petitions about, and to determine, transport and traffic management schemes which affect the public highway and may require a regulatory process for which the Council as Transport Authority for the area is responsible, in the following areas:

- Traffic and Transport Schemes such as Local Area Enhancements;
- Road Safety Schemes;
- Traffic Management Schemes such as signalised junctions;
- Safer Routes to School Schemes;
- Traffic Management elements of Section 106 Agreements;
- Traffic Regulation Orders;
- Residents' Parking Schemes;
- Enforcement of Traffic Regulation Orders
- On-street and off-street Car Parking.

(4) To consider and make representations to Committee on transport schemes requiring changes to the public highway resulting from the development of the Reading Transport Strategy, emerging either through the Local Transport Plan process or from area or specific consultation exercises;

(5) To review proposals referred by the Planning Applications Committee to resolve a transport impact generated by a proposed development and, where appropriate, to make recommendations for

actions affecting the public highway to be included in such development to either the Planning Applications Committee or another Committee, as appropriate;

(6) To receive the Minutes of the Cycle Forum.

(7) To act as the **Discretionary Highway Permits Panel**, in respect of appeals concerning discretionary parking permits, and the use of the highway under Section 115E of the Highways Act 1980. See Article 8.

AUDIT AND GOVERNANCE COMMITTEE

This is set up under Sections 101 and 102 of the Local Government Act 1972. It is the Council's audit committee as recommended by the Audit Commission and CIPFA.

Statement of purpose

The Audit and Governance Committee's purpose is to provide an independent and high-level focus on the adequacy of governance, risk and control arrangements. Its role in ensuring there is sufficient assurance over governance, risk and control gives greater confidence to all those charged with governance that those arrangements are effective.

The committee has oversight of both internal and external audit, together with the financial and governance reports, helping to ensure there are adequate arrangements in place for both internal challenge and public accountability.

Governance, risk and control

- To review RBC's corporate governance arrangements against the good governance framework, including the ethical framework, and consider the local code of governance.
- To monitor the effective development and operation of risk management in the council.
- To monitor progress in addressing risk-related issues reported to the committee.
- To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
- To consider reports on the effectiveness of financial management arrangements, including compliance with CIPFA's Financial Management Code.
- To consider RBC's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.
- To review the assessment of fraud risks and potential harm to the council from fraud and corruption.
- To monitor the counter-fraud strategy, actions and resources.
- To review the governance and assurance arrangements for significant partnerships or collaborations.

Financial and governance reporting

Governance reporting

- To review the AGS prior to approval and consider whether it properly reflects the risk environment and supporting assurances, including the head of internal audit's annual opinion.
- To consider whether the annual evaluation for the AGS fairly concludes that governance arrangements are fit for purpose, supporting the achievement of RBC's objectives.

Financial reporting

- To monitor the arrangements and preparations for financial reporting to ensure that statutory requirements and professional standards can be met.
- To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the council.
- To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

Arrangements for audit and assurance

To consider RBC's framework of assurance and ensure that it adequately addresses the risks and priorities of the council.

External audit

- To support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by PSAA or the authority's auditor panel as appropriate.
- To consider the external auditor's annual letter, relevant reports and the report to those charged with governance.
- To consider specific reports as agreed with the external auditor.
- To comment on the scope and depth of external audit work and to ensure it gives value for money.
- To consider additional commissions of work from external audit.
- To advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.
- To provide free and unfettered access to the audit committee chair for the auditors, including the opportunity for a private meeting with the committee.

Internal audit

- To approve the internal audit charter.
- To review proposals made in relation to the appointment of external providers of internal audit services and to make recommendations.
- To approve the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance, and any work required to place reliance upon those other sources.
- To approve significant interim changes to the risk-based internal audit plan and resource requirements.
- To make appropriate enquiries of both management and the head of internal audit to determine if there are any inappropriate scope or resource limitations.
- To consider any impairments to the independence or objectivity of the head of internal audit arising from additional roles or responsibilities outside of internal auditing and to approve and periodically review safeguards to limit such impairments.
- To consider reports from the head of internal audit on internal audit's performance during the year, including the performance of external providers of internal audit services. These will include:
  - updates on the work of internal audit, including key findings, issues of concern and action in hand as a result of internal audit work
  - regular reports on the results of the QAIP
  - reports on instances where the internal audit function does not conform to the PSIAS and LGAN, considering whether the non-conformance is significant enough that it must be included in the AGS.
- To consider the head of internal audit's annual report, including:
  - the statement of the level of conformance with the PSIAS and LGAN and the results of the QAIP that support the statement (these will indicate the reliability of the conclusions of internal audit)
  - the opinion on the overall adequacy and effectiveness of RBC's framework of governance, risk management and control, together with the summary of the work supporting the opinion (these will assist the committee in reviewing the AGS).
- To consider summaries of specific internal audit reports as requested.
- To receive reports outlining the action taken where the head of internal audit has concluded that management has accepted a level of risk that may be unacceptable to RBC or there are concerns about progress with the implementation of agreed actions.
- To contribute to the QAIP and in particular to the external quality assessment of internal audit that takes place at least once every five years.
- To consider a report on the effectiveness of internal audit to support the AGS where required to do so by the accounts and audit regulations.
- To provide free and unfettered access to the audit committee chair for the head of internal audit, including the opportunity for a private meeting with the committee.

Accountability arrangements

- To report to those charged with governance on the committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks, financial reporting arrangements and internal and external audit functions.
- To report to full council on a regular basis on the committee's performance in relation to the terms of reference and the effectiveness of the committee in meeting its purpose.
- To publish an annual report on the work of the committee, including a conclusion on the compliance with the CIPFA Position Statement.

4. Other Committees

HEALTH AND WELLBEING BOARD

(1) To discharge the functions of the Health & Wellbeing Boards as set out in Sections 195-196 of the 2012 Act, ie:

- Duty to encourage integrated working in health and social care under the National Health Service Act 2006
- Power to encourage closer working in relation to wider determinants of health
- Power to give its opinion to the authority on whether the authority is discharging its duty to have regard to the Joint Strategic Needs Assessment and Joint Health & Wellbeing Strategy for its area
- Duty to provide an opinion – to its partner Integrated Care Boards and/or the NHS Commissioning Board - about whether the local commissioning plans have taken proper regard of the Joint Health & Wellbeing Strategy

(2) To discharge any other health functions delegated to it by the authority.

(3) To ensure that the authority meets its duties as a relevant authority, under Section 16 of the Local Government & Public Involvement in Health Act 2007 ("the 2007 Act"), as amended by Sections 192 and 193 of the Health & Social Care Act 2012:

a. to prepare, with its partner Integrated Care Boards, and publish a Joint Strategic Needs Assessment for the area, involving the local Healthwatch and local people living or working in the area;
b. to prepare, with its partner Integrated Care Boards, and publish a Joint Health & Wellbeing Strategy to meet the health needs of the area included in the Joint Strategic Needs assessment, relating to the exercise of public health functions by the authority, the NHS Commissioning Board or the Integrated Care Boards, involving the local Healthwatch and local people living or working in the area;
c. to ensure that the local authority, and its partner Integrated Care Boards have regard to these documents.

(4) To promote health care, health improvement and the reduction of health inequalities for all local people, including children and vulnerable adults, and to exercise the following statutory duties on behalf of the authority:

a. To improve the health of people in its area under Section 28 of the National Health Service Act 2006, including:

- any public health functions of the Secretary of State which s/he requires local authorities to discharge on his/her behalf
- dental health functions of the Council
- the duty to co-operate with the prison service to secure and maintain the health of prisoners
- the Council's duties set out in Schedule 1 of the National Health Service Act 2006, which include medical inspection of pupils, the weighing and measuring of children and sexual health services
- arrangements for assessing the risks posed by violent and sexual offenders

b. To improve public health under Sections 2B and 111 of the National Health Act 2006 (as amended by Section 12 of the Health & Social Care Act 2012), including:

(i) Under Section 2B(3):
- Providing information and advice
- Providing services or facilities designed to promote healthy living (including helping individuals address behaviour that is detrimental to health or in any other way)
- Providing services for the prevention, diagnosis, or treatment of illness
- Providing financial incentives to encourage individuals to adopt healthier lifestyles

- Providing assistance (including financial) to help individuals minimise any risks to health arising from their accommodation or environment
- Providing or participating in the provision of training for persons working or seeking to work in the field of health improvement
- Making available the services of any person or any facilities

(ii) Under Section 2B(4), providing grants or loans on such terms as the local authority considers appropriate.

(iii) Under Section 111 and Schedule 1:
- Dental public health (S111)
- Medical inspection of pupils (Paras 1-7B)
- Research for any purpose connected with the exercise of the authority's health functions (Para 13)

(5) To discharge health and social care functions identified by the Government and/or the National Health Service for exercise by the Board, including the integration of health and social care functions within Reading;

(6) To approve and publish a Pharmaceutical Needs Assessment for Reading;

(7) To oversee and implement any joint arrangements and partnerships, relevant to the functions of the committee in which the authority is involved:

(8) To make representations to the Adult Social Care, Children's Services and Education Committee as the authority's health scrutiny committee;

(9) To scrutinise Quality Accounts on behalf of Adult Social Care, Children's Services and Education Committee.

(10) Delegations to Officers

The Health and Wellbeing Board has made delegations to the Executive Director – Communities & Adult Social Care, as follows:

(a) to respond on behalf of the Health & Wellbeing Board to consultations on the Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board Annual Report and NHS England performance assessment of the Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board, in consultation with the Chair of the Board.

(b) to approve Better Care Fund performance submissions that fall outside of the Health and Wellbeing Board's meeting timetable, in consultation with the Chair of the Board.

(c) to enter into Section 75 (Health Act 2006) agreements that support the delivery of Better Care Fund plans, in consultation with the Lead Councillors for Adult Social Care and Education & Public Health and the Director of Legal and Democratic Services.

(d) authority to sign off Better Care Fund returns in consultation with the Lead Councillor for Education & Public Health and the Lead Councillor for Adult Social Care.

Membership

The Council may co-opt additional persons or representatives to be members of the Board as it thinks appropriate, either as voting or non-voting Members, subject to the Council consulting beforehand with the Board.

The membership of the Board, under Section194(2) of the Health & Social Care Act 2012, is as follows:

- 4 Councillors – ie, the Leader of the Council, and the Lead Councillors for Education & Public Health, Adult Social Care and Children (the Act requires at least 1 Councillor to be on the Board)
- The Executive Director of Communities & Adult Social Care *
- The Executive Director of Children's Services *

- Director of Public Health for the Local Authority or his/her representative *
- Two representatives from the Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board (the Act requires a representative of each relevant Integrated Care Board)
- A representative from the Local Healthwatch organisation

(* the Members asterisked will not have voting rights, as explained below)

Voting rights

Under the provision of Regulations 6 and 7 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013, the Council, following consultation with the shadow Health & Wellbeing Board, has decided as follows:

- To disapply the duty to allocate seats to political groups under Sections 15 and 16 of the Local Government & Housing Act 1989
- To treat the following as non-voting members of the Board:
  - The Executive Director of Communities & Adult Social Care (or his/her representative)
  - The Executive Director of Children's Services (or his/her representative)
  - The Director of Public Health (or his/her representative)

The voting membership of the Board must be named by the body they are representing. It will therefore be as follows:

- 4 Councillors by relevant office, ie the Leader of the Council, and the Lead Councillors for Education & Public Health, Adult Social Care, and Children
- 1 named Local Healthwatch representative
- 2 named local Integrated Care Board representatives

The bodies appointing voting Members to the Board may, in addition, appoint named substitute Members who may attend as voting Members in the place of their named Member.

Voting Members will be subject to the Council's local Member Code of Conduct, and will be required, under the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 to register with the Monitoring Officer, and to declare at meetings, any disclosable pecuniary interest that both they and/or their spouse/partner has in the business of the Board.

Co-opted Members

The following will be co-opted as non-voting additional members:

- The Chief Executive of Reading Borough Council (or his/her representative)
- A representative from Reading Voluntary Action
- A representative from Thames Valley Police's Reading Local Police Area
- A representative from Royal Berkshire Fire & Rescue Service
- A representative from Royal Berkshire NHS Foundation Trust
- A representative from Berkshire Healthcare NHS Foundation Trust
- A representative from the Berkshire West GP Leadership Group

Observers

The following observers may attend and participate but not vote at Board meetings:

- Chair - Local Safeguarding Adults Board
- Chair - Local Safeguarding Children Board
- One relevant shadow Lead Councillor for each opposition group on the Council (up to three in total).
- A named representative of NHS England will join the Board to help in the preparation of the Joint Strategic Needs Assessment or Joint Health and Well-being Strategy.

PERSONNEL COMMITTEE

To be responsible for functions exercised under Section 112 of the Local Government Act 1972 namely:

(1) Subject to Officer Employment Procedure Rules set out in the constitution:

a) to arrange for the appointment of the Council's Head of Paid Service, and make recommendations to Council in this respect;

b) to appoint Executive Directors, the Monitoring Officer and Section 151 Officer;

c) to dismiss Executive Directors;

d) to establish a Panel (Sub-Committee) under section 102(4) of the Local Government Act 1972 for the purposes of advising the authority on matters relating to the dismissal of the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer of the authority, in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015, and which requires the Panel to include at least two independent persons appointed under section 28(7) of the Localism Act 2011;

e) to settle all matters relating to the above appointments or dismissals unless the decision on the matter is reserved to Council.

(2) To take any decisions affecting the remuneration, terms and conditions of service of the Head of Paid Service;

(3) To undertake performance appraisals of the Head of Paid Service and to set annual targets against which performance can be measured.

(4) To discharge the Council's functions under Section 112 of the Local Government Act 1972, including:

(a) determining the terms and conditions on which staff hold office;

(b) approving compensation levels in line with the Council's policies and procedures governing redundancy, medical or early retirement as applying from time to time before notice of dismissal is given to staff below Executive Director level.

(c) approving matters referred to it by the Local Joint Forum; and resolving matters where it has not been possible to secure agreement at the Local Joint Forum;

(d) advising the Council and Committees on:

(i) the requirements for, and the availability of, human resources necessary for the fulfilment of the Council's policies;

(ii) the promotion of good employee relations in the Council;

(iii) matters of general employment and personnel concern to the Council;

(iv) the promotion of equal opportunities for all employees of the Council, and in the Council's recruitment and selection procedures, and to monitor the effectiveness of such measures;

(5) To receive from the Director of Human Resources and Organisational Development twice a year a report on all early retirements and redundancies made in the preceding six months.

(6) To decide on claims for injury allowance made under the Local Government Superannuation (Amendment) (No. 2) Regulations 1982, where the claim and recommendation for consideration are agreed between both management and trades unions.

(7) Where appropriate, to convene an Investigatory Committee to examine matters relating to the conduct or capability of Directors and Heads of Service.

(8) Delegation to Officers

(a) The responsibilities for making decisions in respect of the matters within the responsibility of this Committee (other than key decisions) are delegated to the officers in the corporate and senior management structure. An officer can only carry out a responsibility if:

- they (or an officer who reports to them) have budgetary or management responsibility for it and
- the constitution or the law does not require it to be carried out by someone else.

(b) Officers do not have to use their delegated powers: they can ask the person or body that delegated the power to them to make a decision or refer the matter to the relevant committee. Officers who have had something delegated to them can authorise officers they line manage to do it on their behalf (unless it was delegated on condition that they do it themselves).

(c) The Committee can at any time take back responsibilities they have delegated or decide to delegate them on certain conditions.

MEETING AS AN APPOINTMENTS PANEL, in accordance with the Officer Employment Procedure Rules as set out Part 4 of the Council's Constitution "Rules of Procedure"

(9) Where the Council appoints a Personnel (Appointments) Committee or a Sub-Committee to carry out the function of appointing any officer to the positions referred to in paragraph 2.2 of the Officer Employment Procedure Rules, the membership of the Committee or Sub-Committee shall consist of members nominated by the Group Leaders from the political groups represented on the Personnel Committee and should include the Leader and/or at least one Lead Councillor.

Investigating and Disciplinary Committee (Relevant Officers)

To deal with disciplinary matters relating to the Head of Paid Service (Chief Executive), the Section 151 Officer (Director of Finance) and the Monitoring Officer (Director of Legal and Democratic Services) ('relevant officers'), including the authority:

- To implement sanctions other than dismissal of a 'relevant officer,' including suspension;
- To make representations to the Independent Panel in the event the Committee makes a recommendation to dismiss a 'relevant officer.'

Appeals Committee (Relevant Officers)

To hear appeals from the Head of Paid Service (Chief Executive), the Section 151 Officer (Director of Finance) and the Monitoring Officer (Director of Legal and Democratic Services) ('relevant officers') in relation to disciplinary matters short of dismissal.

Independent Panel (Relevant Officers)

An Independent Panel, comprising at least two people appointed under section 28 of the Localism Act 2011, to hear from the 'relevant officer' and the Chair of the Investigating and Disciplinary Committee (IDC) and advise Council in the event of a recommendation from the IDC to dismiss a 'relevant officer' i.e., Head of Paid Service (Chief Executive), the Section 151 Officer (Director of Finance) and the Monitoring Officer (Director of Legal and Democratic Services).

(NB: confirming the dismissal of a relevant officer i.e., the Head of Paid Service, Chief Finance Officer and Monitoring Officer is a matter reserved to Council.)

5. Appeals Bodies

Appeals Panel

To provide a pool of trained Councillors to hear individual appeals and complaints, either as part of a statutory complaints process or as part of the Council's own policies and procedures in respect of the areas set out below, on the following bases:

(a) Where the meeting is part of a statutory process, the Panel will have a quasi-judicial role.

(b) Where the meeting is not part of a statutory process, the Panel will meet as a Committee of Council.

(c) the Panel will provide Councillors to hear appeals against the removal of Early Years Providers from the Council's Directory of Providers.

Discretionary Highway Permits Panel

This is exercised by the Traffic Management Sub-Committee of the Strategic Environment, Planning and Transport Committee: See also Article 7.

(1) To consider and determine appeals against decisions made by the Director of Planning, Transport and Public Protection to refuse discretionary parking permits, and with the right, in exceptional circumstances, to overturn decisions and grant permits

(2) To review decisions to refuse applications for the grant of permission for use of the highway under Section 115E of the Highways Act 1980.

Secure Accommodation Panel

In accordance with the Children Act 1989, to review the position of each young person placed in secure accommodation, within 28 days of the initial placement being made, and quarterly thereafter.

Social Services Complaints Review Panel

In accordance with the National Health Service and Community Care Act 1990 and Children Act 1989, to hear individual complaints which reach the third stage of the Council's Social Services Complaints process.

Councillors may not serve on the Social Services Complaints Review Panel.

Education Appeals and Review Panels

To hear and determine:

(1) School admission appeals
(2) Individual reviews of decisions of the School's Governing Body to uphold the Head Teacher's decision to exclude pupils permanently from Academies, LEA maintained, voluntary-controlled, and maintained special schools.

Councillors may not serve on Education Appeal and Review Panels.

6. Joint Committees

JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE (BUCKINGHAMSHIRE, OXFORDSHIRE, READING, WEST BERKSHIRE, WOKINGHAM)

1. Health Services are required to consult a local authority's Heath Overview and Scrutiny Committee about any proposals they have for a substantial development or variation in the provision of health services in their area. When these substantial developments or variations affect a geographical area that covers more than one local authority (according to patient flow), the local authorities are required to appoint a Joint Health Overview and Scrutiny Committee (JHOSC) for the purposes of the consultation.

2. The NHS Long-Term Plan (published at the beginning of 2019) sets out the vision and ambition for the NHS for the next 10 years. It states - "Every Integrated Care System will need streamlined commissioning arrangements to enable a single set of commissioning decisions at system level." The purpose of the JHOSC would be to hold to account and challenge these commissioning decisions at system level. This function would be new and a different part of local health scrutiny arrangements. The powers and duties of health scrutiny would remain unchanged at Place and Neighbourhood level (see definitions below) – and, in recognition of the slight differences across the ICS footprint, also at Locality level. The creation of a JHOSC to scrutinise system level decisions would strengthen existing scrutiny arrangements.

3. These terms of reference set out the arrangements for Buckinghamshire Council, Oxfordshire County Council, Reading Borough Council, West Berkshire Council, Wokingham Borough Council, to operate a JHOSC in line with the provisions set out in legislation and guidance and to allow it to operate as a mandatory committee.

Terms of Reference

4. The new JHOSC will operate formally as a mandatory joint committee i.e., where the councils have been required under Regulation 30 (5) Local Authority (Public Health, Health and Well-being Boards and Health Scrutiny) Regulations 2013 to appoint a joint committee for the purposes of providing independent scrutiny to activities delivered at system level (as detailed below) by the Buckinghamshire, Oxfordshire and Berkshire West Integrated Care System.

   The Kings Fund published a report in April 2020 "Integrated Care Systems explained: making sense of systems, places and neighbourhoods" which says that NHS England and NHS Improvement has adopted the terminology used in some systems to describe a three-tiered model – System, Place and Neighbourhood.

   System - typically covering a population of 1–3 million people. Key functions include setting and leading overall strategy, managing collective resources and performance, identifying and sharing best practice to reduce unwarranted variations in care, and leading changes that benefit from working at a larger scale such as digital, estates and workforce transformation.

   Place – a town or district within an ICS, typically covering a population of 250-500,000. This is where the majority of changes to clinical services will be designed and delivered and where population health management will be used to target intervention to particular groups. At this level, providers may work together to join up their services through alliances and more formal contractual arrangements.

   Neighbourhood – a small area, typically covering a population of 30-50,000 where groups of GPs and community-based services work together to deliver co-ordinated, pro-active care and support, particularly for groups and individuals with the most complex needs. Primary Care Networks and multi-disciplinary community teams form at this level.

   Activities at Place, Neighbourhood and Locality would be scrutinised by the relevant local authority through their existing health scrutiny arrangements.

5. The purpose of the mandatory JHOSC across Buckinghamshire, Oxfordshire, Reading, West Berkshire, Wokingham is to:

   a. make comments on the proposal consulted on
   b. require the provision of information about the proposal
   c. gather evidence from key stakeholders, including members of the public
   d. require the member or employee of the relevant health service to attend before it to answer questions in connection with the consultation.
   e. Refer to the Secretary of State only on where it is not satisfied that:

- consultation on any proposal for a substantial change or development has been adequate in relation to content or time allowed (NB. The referral power in these contexts only relates to the consultation with the local authorities, and not consultation with other stakeholders)
- the proposal would not be in the interests of the health service in the area
- a decision has been taken without consultation and it is not satisfied that the reasons given for not carrying out consultation are adequate.

6. Notwithstanding point (e) above, Member authorities have the right to refer an issue to the Department of Health if the joint health scrutiny committee does not collectively agree to refer an issue.

7. With the exception of those matters referred to in paragraph [3] above responsibility for all other health scrutiny functions and activities remain with the respective local authority Health Scrutiny Committees.

8. The process for determining the appropriate level of scrutiny – i.e.. System or Place/Neighbourhood/Locality will be in accordance with an agreed toolkit which will set out the process for initiating early dialogue between ICS Leads and the Members of the JHOSC. All constituent authorities will be notified of the outcome of those discussions.

9. No matter to be discussed by the Committee shall be considered to be confidential or exempt without the agreement of all Councils and subject to the requirements of Schedule 12A of the Local Government Act 1972.

Governance

10. Meetings of the JHOSC will be conducted under the Standing Orders of the Local Authority hosting and providing democratic services support and subject to these terms of reference.

Frequency of meetings

11. The JHOSC will meet at least twice a year with the Integrated Care System Leads to ensure oversight of key priorities and deliverables at system level.

Host authority

12. The JHOSC would be hosted by one of the named authorities. The role of host authority would be undertaken by the chairing authority for the same time period [24 months].

Membership

13. Membership of the JHOSC will be appointed by the Buckinghamshire, Oxfordshire, Reading, West Berkshire and Wokingham bodies that have responsibility for discharging health scrutiny functions.

14. Appointments to the JHOSC have regard to the proportion of patient flow. The Joint Committee will therefore have 19 members, consisting of 6 from Buckinghamshire, 7 from Oxfordshire, 2 from Reading, 2 from West Berkshire, 2 from Wokingham.

15. Appointments by each authority to the JHOSC will reflect the political balance of that authority.

16. The quorum for meetings will be 6 voting members, comprising at least one member from each authority. Member substitutes from each authority will be accepted.

17. The JHOSC shall reserve the right to consider the appointment of additional temporary co-opted members in order to bring specialist knowledge onto the committee to inform specific work streams or agenda items. Any co-opted member appointed will not have a vote.

18. Healthwatch shall be recognised as a key stakeholder and a standing item will be included on the JHOSC agenda to allow the organisation to report back on patient and public views from across the ICS.

Chairman & Vice Chairman

19. The Chairman of the JHOSC shall be drawn from the members of it and will normally be filled by the member whose authority is hosting the Committee for a period of 24 months.

20. The Vice-Chairman of the JHOSC shall be drawn from members on the Committee and elected every 24 months.

Task & Finish Groups

21. The Committee may appoint such Working Groups of their members as they may determine to undertake and report back to the Committee on specified investigations or reviews as set out in the work programme. Appointments to such Working Groups will be made by the Committee, ensuring political balance as far as possible. Such panels will exist for a fixed period, on the expiry of which they shall cease to exist.

Committee support

22. The work of the JHOSC will require support in terms of overall coordination, setting up and clerking of meetings and underpinning policy support and administrative arrangements.

23. Meetings of the committee are to be arranged and held by the host authority.

Should a press statement or press release need to be made by the JHOSC, this will be approved all authorities before being signed off by the Chairman.

JOINT BERKSHIRE PROSPERITY BOARD

1. Functions

The Joint Committee will discharge on behalf of the Participating Local Authorities the functions listed below related to promoting economic prosperity in Berkshire:

1.1 Develop a shared, Berkshire-wide vision for inclusive and sustainable economic prosperity, together with a set of practical thematic priorities, that addresses the strategic challenges and opportunities that the area faces.

1.2 Agree to and making funding applications and/or investment bids to external bodies, in relation to economic prosperity for the benefit of the Berkshire.

1.3 Provide direction to the nominated Local Authority acting as the Accountable Body on the allocation of any funding awards/government grants received to appropriate projects for the benefit of the geographical area of the participating local authorities, including, where applicable, approving the approach to the procurement to be undertaken by Accountable Body Local Authority

1.4 Represent the participating local authorities in discussions and negotiations with regional bodies, national bodies, central government inward investors and others on matters relating to investment and funding for the benefit of Berkshire.

1.5 Co-ordinate work across the six participating authorities and other Berkshire Committees, networks, and other statutory providers where this can help to promote inclusive and sustainable prosperity and the delivery of priorities across the six programme themes.

1.6 Representing the participating local authorities in discussions and negotiations with regional bodies, national bodies and central government on matters relating to economic prosperity for the benefit of the local government areas of the participating authorities.

1.7 Provide the appropriate governance, accountability, and delivery mechanisms for any future Government funding and programme support, that could arise from the integration of the LEP, from

future growth funding, from UKSPF Berkshire Wide programmes and from any subsequent devolution funding.

1.8 Seek to influence and align government investment in Berkshire in order to boost economic growth within the local government areas of the participating authorities.

1.9 Agree and approve any additional governance structures as related to the Joint Committee, or any sub-Committees formed by the Joint Committee.

1.10 Invite representatives of key stakeholders such as business associations, government agencies, the further education sector, higher education sector, schools, voluntary sector, and health sector to engage with the business of the Joint Committee including by attending meetings and commenting on proposals and documents.

2. Membership and Quorum

2.1 The membership will comprise of six members with each participating Local authority appointing one person to sit on the Joint Committee as a voting member.

2.2 Each participating local authority will make a suitable appointment in accordance with its own constitutional requirements. It is anticipated that, where practicable, the leader of each participating local authority will be appointed to the Joint Committee.

2.3 Where a participating Local authority does not operate executive arrangements, the appointment of a voting member will be in accordance with the local authority's own procedures. It is envisaged that this will usually be one of its senior councillors.

2.4 In all cases, the appointed person must be an elected member (or their Deputy),of the council of the appointing participating local authority. Appointments will be made for a maximum period not extending beyond each member's remaining term of office as a councillor, and their membership of the Joint Committee will automatically cease if they cease to be an elected member of the appointing participating local authority.

2.5 Members of the Joint Committee are governed by the provisions of their own Council's Codes and Protocols including the Code of Conduct for Members and the rules on Disclosable Pecuniary Interests.

2.6 Each participating local authority will utilise existing mechanisms for substitution as laid down in their own Standing Orders. Continuity of attendance is encouraged.

2.7 Where a participating local authority wishes to withdraw from membership of the Joint Committee this must be indicated in writing to each of the Committee members. A six month notice period must be provided.

2.8 The quorum for the Joint Committee is **six** members. If the Joint Committee is not quorate it cannot transact any business. If there is no quorum at the time the meeting is due to begin, the start of the meeting will be delayed until a quorum is achieved. If no quorum is achieved after 30 minutes has elapsed, the Committee secretary will advise those present that no business can be transacted, and the meeting will be cancelled.

2.9 CEOs or their deputy will attend meetings in an advisory and supporting capacity.

3. Chair and Vice-Chair

3.1 The Chair of the Joint Committee will be appointed for 12 months and will rotate in turn between the six participating local authorities.

3.2 Unless otherwise unanimously agreed by the Joint Committee, each participating local authority's appointed person will serve as chair for 12 months at a time. Where the incumbent Chair ceases to be a member of the Joint Committee, the individual appointed by the relevant local authority as a replacement will serve as Chair for the remainder of the 12 months as chair.

3.3 The Joint Committee will also appoint a Vice-Chair from within its membership on an annual basis to preside in the absence of the Chair. This appointment will also rotate in a similar manner to the Chair.

3.4 At its first meeting, the Joint Committee will draw up the rotas for Chair and Vice-Chair respectively as well as the meeting schedule for the year.

3.5 Where neither the Chair nor Vice-Chair are in attendance, the Joint Committee will appoint a Chair to preside over the meeting where they are quorate.

3.6 In the event of any disagreement as the meaning or application of these Rules, the decision of the Chair shall be final.

4. Sub-Committees

4.1 The Joint Committee may establish sub-committees to undertake elements of its work if required.

4.2 Any such sub-committee may not make a decision unless:

1. That decision has been delegated to it by the Joint Committee, and
2. Such decisions are made unanimously as provided elsewhere in these Rules.

5. Delegation to officers

5.1 The Joint Committee may delegate specific functions to officers of any of the participating local authorities.

5.2 Any such delegation may be subject to the requirement for the officer to consult with or obtain the prior agreement of an officer (or officers) of the other participating local authorities.

5.3 It may also be subject to the requirement for the officer with delegated authority to consult with the Chair of the Joint Committee and the Leaders of the one or more participating local authorities before exercising their delegated authority.

6. Administration

6.1 Clerking support for the Joint Committee, and accommodation for meetings, will be managed in the first year by Bracknell Forest Council working with the Chair and Vice-Chair.

6.2 At its first meeting, the Joint Committee will agree the rotas for Chair and Vice-Chair respectively as well as the meeting schedule for the year.

6.3 In the first year, Authorities will where possible support the Joint Committee in kind by taking on responsibilities such as communications and clerking.

7. Financial matters

7.1 In the first year the costs of managing the Joint Committee will be contained within existing budgets and using an element of the shared prosperity fund. Beyond the first year, Councils will work within available budgets and funding sources.

7.2 When making a decision which has financial consequences, the Joint Committee will follow the relevant provisions of the Financial Procedure Rules of the Accountable Body Local Authority.

7.3 Where authorities are delegated funds to undertake work by the Prosperity Board, they follow their own contract procedure rules. Authorities will need to provide the accountable body with information to enable them to monitor that, spend is within budget and consistent with the outcomes required by the Prosperity Board.

8. Agenda management

8.1 Subject to 8.2, all prospective items of business for the Joint Committee shall be agreed by a meeting of the Chief Executives of the participating local authorities or their authorised representatives.

8.2 It will be the responsibility of each report author to ensure that the impacts on all participating local authorities are fairly and accurately represented in the report. They may do this either by consulting with the monitoring officer and chief finance officer of each participating local authority or by some other appropriate method.

8.3 In pursuance of their statutory duties, the monitoring officer and/or the chief financial officer of any of the participating local authorities may include an item for consideration on the agenda of a meeting of the Joint Committee, and, may require that an extraordinary meeting be called to consider such items.

8.4 Each participating local authority operating executive arrangements will be responsible for considering whether it is necessary to treat prospective decisions as 'key- decisions' and follow any steps required by law such as inclusion in any Forward Plan. Each participating local authority operating a Committee system will apply its local non statutory procedures.

9. Meetings

9.1 The Joint Committee will meet in-person, face to face quarterly and as required to fulfil its functions.

9.2 A programme of meetings at the start of each Municipal Year will be scheduled and included in the Calendar of Meetings for all participating local authorities.

9.3 Access to meetings and papers of the Joint Committee by the press and public is subject to Part 5A of the Local Government Act 1972 and to the Openness of Local Government Bodies Regulations 2014.

10. Notice of meetings

10.1 On behalf of the Joint Committee, the Committee secretary will give notice to the public of the time and place of any meeting in accordance with Part 5A of the 1972 Act.

10.2 At least five clear working days in advance of a meeting the secretariate to the Joint Committee will publish the agenda via the website of secretariate's authority and provide the documentation and website link to the participating local authorities to enable the information to be published on each Participating Local authority's website. "Five Clear Days" does not include weekends or national holidays and excludes both the day of the meeting and the day on which the meeting is called.

10.3 The secretary to the Joint Committee will arrange for the copying and distribution of papers to all Members of the Committee.

11. Public participation

11.1 Unless considering information classified as 'exempt' or 'confidential' under the 1972 Act, all meetings of the Joint Committee shall be held in public.

11.2 Public representations and questions are permitted at meetings of the Joint Committee. Notification must be given in advance of the meeting indicating by 12 noon on the last working day before the meeting the matter to be raised and the agenda item to which it relates. Representatives will be provided with a maximum of 3 minutes to address the Joint Committee.

11.3 The Chair shall have discretion to determine the number of speakers per agenda item and to extend the time allowed for addressing the Joint Committee.

11.4 Where the number of public representations exceed the time / number allowed, a written response will be provided or the representation deferred to the next meeting of the Joint Committee if appropriate.

11.5 The Joint Committee may also invite special representatives of stakeholders such as business associations, government agencies such as DWP or Jobcentre Plus, the further education sector, voluntary sector, and health sector to take an interest in the business of the Committee including by attending meetings and commenting on proposals and documents.

11.6 The Chair shall have discretion to regulate the behaviour of all individuals present at the meeting in the interests of the efficient conduct of the meeting.

12. Councillor participation

12.1 Any elected member of any of the participating local authorities who is not a member of the Joint Committee may ask a question or address the Committee with the consent of the Chair.

13. Business to be transacted

13.1 Standing items for each meeting of the Joint Committee will include the following:

- Minutes of the Last Meeting
- Apologies for absence
- Declarations of Interest
- Provision for public participation
- Substantive items for consideration

13.2 The Chair may vary the order of business and take urgent items their discretion. The Chair should inform the Members of the Joint Committee prior to allowing the consideration of urgent items.

13.3 An item of business may not be considered at a meeting unless:

(i) A copy of the agenda included the item (or a copy of the item) is open to inspection by the public for at least five clear days before the meeting; or
(ii) By reason of special circumstances which shall be specified in the minutes the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.

13.4 “Special circumstances” justifying an item being considered as a matter or urgency will relate to both why the decision could not be made at a meeting allowing the proper time for inspection by the public as well as why the item or report could not have been available for inspection for five clear days before the meeting.

14. Extraordinary meetings

14.1 Arrangements may be made following consultation with Chair of the Joint Committee to call an extraordinary meeting of the Joint Committee. The Chair should inform the appointed Members prior to taking a decision to convene an extraordinary meeting.

14.2 The business of an extraordinary meeting shall be only that specified on the agenda.

15. Cancellation of meetings

15.1 Meetings of the Joint Committee may, after consultation with the Chairman, be cancelled if there is insufficient business to transact or some other appropriate reason warranting cancellation. The date of meetings may be varied after consultation with the Chairman and appointed members of the Joint Committee, in the event that it is necessary for the efficient transaction of business.

16. Rules of debate

16.1 The rules of debate in operation in the Chair's authority shall apply.

17. Request for determination of business

17.1 Any member of the Joint Committee may request at any time that:

- The Joint Committee move to vote upon the current item of consideration.
- The item be deferred to the next meeting.
- The item be referred back to a meeting of the Chief Executives of the participating local authorities for further consideration
- The meeting be adjourned.

17.2 The Joint Committee will then vote on the request.

18. Urgency procedure

18.1 Where the Chair (following consultation with the appointed Members of the Joint Committee) is of the view that an urgent decision is required in respect of any matter within the Joint Committee's functions and that decision would not reasonably require the calling of an Extraordinary Meeting of the Joint Committee to consider it and it cannot wait until the next Ordinary Meeting of the Joint Committee, then they may request in writing the Chief Executive of each participating local authority (in line with pre-existing delegations in each local authority's Constitution) to take urgent action as is required within each of the constituent local authorities.

19. Voting

19.1 It is proposed that each local authority will decide whether a decision made at the Prosperity Board is a key decision and treat it according to the criteria within its own constitution. .

19.2 Where a vote is required it will be on the basis of one vote per local authority member . The Chair will take the vote by show of hands.

19.3 Decisions shall be decided by a unanimous vote where all six Members or member deputies are present and agree.

19.4 Where, immediately after a vote is taken at a meeting, if any Member so requests, there shall be recorded in the minutes of the proceedings of that meeting whether the person cast his / her vote for or against the matter or whether he/ she abstained from voting.

20. Minutes

20.1 At the next suitable meeting of the Joint Committee, the Chairman will move a motion that the minutes of the previous meeting be agreed as a correct record. The meeting may only consider the accuracy of the minutes and cannot change or vary decisions taken at a previous meeting as a matter arising out of the minutes.

20.2 Once agreed, the Chairman will sign them.

20.3 There will be no item for the approval of minutes of an ordinary Joint Committee meeting on the agenda of an extraordinary meeting.

21. Exclusion of the public and press

21.1 Members of the public and press may only be excluded from a meeting of the Joint Committee either in accordance with the 1972 Act or in the event of disturbance.

21.2 A motion may be moved at any time for the exclusion of the public from the whole or any part of the proceedings. The motion shall specify by reference to Section 100(A) Local Government Act 1972 the reason for the exclusion in relation to each item of business for which it is proposed that the public be excluded. The public must be excluded from meetings whenever it is likely, in view of the nature of business to be transacted, or the nature of the proceedings that confidential information would be disclosed.

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

21.4 Background papers will be published as part of the Joint Committee agenda and be made available to the public via the website of each authority.

22. Overview and Scrutiny

22.1 Decisions of the Joint Committee which relate to the executive functions of a participating local authority will need to be in accordance with each of the six local authority's own democratic scrutiny procedures for agreement before implementation.

22.2 Decisions of the Joint Committee which relate to the executive functions of a participating local authority will be subject to scrutiny and 'call -in' arrangements (or such other arrangements equivalent to call-in that any participating local authority operating a Committee system may have) as would apply locally to a decision made by that participating local authority acting alone

22.3 No decision should be implemented until such time as the call-in period has expired across all of the participating local authorities.

22.4 Where a decision is called in, arrangements will be made at the earliest opportunity within the participating local authority where the Call-In had taken place for it to be heard.

22.5 Any decision called in for scrutiny before it has been implemented shall not be implemented until such time as the call-in procedures of the participating local authority concerned have been concluded.

23. Access to minutes and papers after the meeting

23.1 On behalf of the Joint Committee, the secretariate will make available copies of the following for six years after the meeting:

(i) the minutes of the meeting and records of decisions taken, together with reasons, for all meetings of the Joint Committee, excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information.
(ii) the agenda for the meeting; and
(iii) reports relating to items when the meeting was open to the public.

24. Dispute Resolution

24.1 Where any dispute arises within the Joint Committee in connection with this arrangements, the Partners must use their best endeavours to resolve that dispute within the Joint Committee in accordance with the Terms of Reference.

24.2 Where any dispute is not resolved under Clause 25.1 on an informal basis, any participating member of the Joint Committee may convene an extraordinary meeting of the Joint Committee to attempt to resolve the dispute.

24.3 Where any dispute is not resolved under Clause 25.1 or 25.2, the Joint Committee can appoint an independent mediator to attempt to resolve the dispute. The cost of mediation will be borne in equal shares between parties involved in the dispute.

24.4 Where any dispute remains unresolved The Joint Committee will commission an independent review. The Joint Committee will abide by the independent review findings.

24.5 The cost will be borne in equal shares between parties involved in the dispute.

25. Amendment of these Rules

25.1 These Rules shall be agreed by the Joint Committee at its first meeting. Any amendments shall be made by the Joint Committee, following consultation with the monitoring officers of the participating local authorities. Note that Rule 1 (Functions) may only be amended following a formal delegation from each of the participating local authorities.

25.2 These rules and arrangements shall be reviewed every 12 months at the start of the new Chair and Vice-Chair term.

26. Special Representatives

The Functions and Procedure Rules for the Joint Committee set out that there will be a select number of 'special representatives' invited to attend meetings to 'influence' the work of the Committee as and when appropriate. These will be drawn from the following sectors and institutions: for example, Chamber of Commerce, LEP, emergency services, voluntary sector and businesses.

7. Officer Scheme of Delegation of Functions

1. The scheme of delegation to Officers

1.1 The intention of the scheme is to authorise the Chief Executive or an Executive Director or Director to carry out responsibilities for all functions which the Council has not reserved to itself or delegated to a Committee or Sub Committee in this constitution and which Council has not authorised another officer to carry out.

1.2 The fact that an Officer is authorised to carry out a function does not require that Officer to give the matter their personal attention and the Officer may authorise an officer of suitable skills and experience to carry out that function. Any such authorisation must be set out in writing, kept by the Director, and notified to the Monitoring Officer.

1.3 Where an Officer is authorised to carry out a function, they will authorise another officer or officers to carry out that function in his absence, or as required by him or her.

1.4 Officers do not have to deal with all matters where they have authority to do so: they can refer the matter back to the Council, Committee, or a Sub Committee.

2. Interpreting these rules

2.1 The scheme delegates functions of the Council to officers and should be interpreted widely rather than narrowly. In cases of dispute as to the interpretation of this scheme the interpretation of the Monitoring Officer shall apply.

2.2 In the scheme “officer” means an Executive Director or Director or the holder of any post named in this scheme.

An Executive Director means an officer who reports directly to the Chief Executive and who does not carry out a role which has the primary function of carrying out an administrative or secretarial support role.

A Director means an officer who reports directly to an Executive Director and who does not carry out a role which has the primary function of carrying out an administrative or secretarial support role.

2.3 This scheme operates under the Local Government Act 1972, the Local Government Act 2000, the National Health Service Act 2006, the Localism Act 2011, and all other legislation conferring powers and responsibilities on the Council as amended consolidated or re-enacted from time to time.

2.4 Any reference to a statute, statutory provision or statutory instrument includes a reference to that statute, statutory provision, or statutory instrument together with all rules and regulations made under it as from time to time amended, consolidated, or re-enacted.

2.5 Where an Officer is authorised to carry out a function within this scheme of delegation or elsewhere in the Constitution, they have authority to do anything necessary to carry it out that function (unless it was forbidden when the responsibility was delegated).

Examples of this are the authority to sign all necessary documents, determine applications, authorise payments, authorise prosecutions, implement national agreements, issue, and serve statutory and other notices, authorise entry to land in pursuance of statutory powers, and take statutory action if:

a) The Officer has management or budget responsibility for the function concerned, and
b) The law or the Council’s standing orders do not require the action to be taken by someone else and

c) The decision maker has had regard to any advice from the Chief Financial Officer under Section 114 of the Local Government Finance Act 1988 and the Monitoring Officer under section 5 of the Local Government and Housing Act 1989.

3. Limitations

This scheme does not delegate to officers: -

a) Any matter which by law may not be delegated to an officer;
b) Any matter reserved to Council and which Council has not authorised an officer to carry out;
c) Any decision that has been delegated and reserved to a Committee or Sub-Committee of Council and which that Committee or Sub-Committee has not authorised an officer to carry out; This includes:
    a. Key Decisions which are generally reserved to committees;
    b. Any matter that is a new policy or is a departure from the existing and agreed policy framework of the Council.
    c. Any decision that is not in accordance with the budget.
    d. Any matter in which the officer has a personal interest.

Any delegations or authorisations will remain in place until superseded.

4. Urgency and Emergency Powers

The Chief Executive can take such action as they consider necessary in urgent or emergency situations to protect the interests of the Council, having consulted with the Leader of the Council and Lead Councillors where appropriate, subject to the action taken being reported to the next meeting of the Council or its committees as appropriate.

5. Legal Powers

The Director of Legal and Democratic Services has power:

(1) to institute, defend, appeal, settle or abandon legal proceedings on the Council's behalf in any court, arbitration or tribunal.

(2) to instigate and conduct legal proceedings for any offence or any matter arising under:

    a. legislation which gives the Council a right or duty to prosecute
    b. any order notice or licence issued in pursuance to any legislation under which the Council has powers or duties
    c. any other order or regulation under which the Council has powers or duties

(3) to make changes to a political group's appointments to Committees, Panels and Working Parties, during and for the remainder of the Municipal Year in question, on the recommendation of the Group Leader and specifically to fill a casual vacancy which has arisen or to address situations of long-term absence, and subject to:

    (1) the political balance of the Committee etc or the authority's basket of appointments not being affected
    (2) the Monitoring Officer reporting the change to the next meeting of Council

6. Proper Officer Appointments

6.1 The following table, subject to 2 and 3 below, sets out the proper officer appointments of the Council.

6.2 Legislation in these tables includes any amendments, re-enactments and subordinate legislation.

6.3 In relation to any other proper officer appointments which are contained with legislation, whether that legislation was made before or after this list was approved and requiring a proper officer appointment, or authorised officer the Chief Executive (or the Executive Director of Resources in their absence) shall be delegated the responsibility to allocate all such functions to appropriate officers, in consultation with the Leader.

Legislation		Responsibility	Proper officer
Public Health Act 1936	S85 S84	To serve notice requiring remedial action where there are verminous persons or articles Cleansing of filthy and verminous articles	Director of Planning, Transport & Public Protection
Public Health Act 1961	S37	Controlling verminous things	Director of Planning, Transport & Public Protection
Registration Services Act 1953		To be the Proper Officer for the purposes of the Registration Act 1953, the Marriage Act 1949 (as amended by the Marriage Act 1994) the Civil Partnership Act 2004, the and the Marriages and Civil Partnerships (Approved Premises) (Amendment) Regulations 2011 and to set fees and offer discounts where applicable.	Registration and Bereavement Services Manager
Local Government Act 1972	Section 83(1) to (4)	Witnessing and receiving declarations of acceptance of office	Chief Executive or Monitoring Officer
	Section 84(1)	Receiving a Councillor's resignation	Monitoring Officer
	Section 88 (2)	Calling a Council meeting to elect a Mayor if there is a casual vacancy	Chief Executive
	Section 89	Giving notice of a casual vacancy	Director of Legal and Democratic Services
	Section 100B	Access to Agenda and Connected Reports	Monitoring Officer
	Section 100C	Inspection of minutes and other documents after the meeting	Monitoring Officer
	Section 100D	Listing background papers for reports and making copies available for the public to look at	Monitoring Officer
	Section 100F	Additional right of access to documents for members	Monitoring Officer
	Section 115	Receiving money due from officers	Director of Finance
	Section 151	Responsibility for the administration of the Council's financial affairs.	Director of Finance
	Section 191	Receiving applications under Section 1 of the Ordnance Survey Act 1841	Chief Valuer or Director
	Section 210	To exercise certain residual functions relating to charities	Director of Legal and Democratic Services
	Section 225	Depositing documents	Director of Legal and Democratic Services
	Section 228(3)	Making accounts available for Councillors to look at	Director of Finance
	Section 229(5)	Certifying photocopies of documents	Director of Legal and Democratic Services
	Section 234	Authenticating documents	Director of Legal and Director Services

Local Government Act 1972	Section 238	Certifying byelaws	Director of Legal and Democratic Services
	Section 248	Keeping a list of Honorary Aldermen and Freemen	Chief Executive
	Schedule 12, paragraph 4(2)(b)	Signing the summons to Council	Chief Executive
	Schedule 14, paragraph 25 (7)	Certifying resolutions passed under this paragraph	Director of Legal and Democratic Services
Local Government Act 1974	Section 30(5)	Giving notice that copies of an Ombudsman's report are available	Director of Legal and Democratic Services as MO
Local Government (Miscellaneous Provisions) Act 1976	Section 41(1) Section 41 (2A)	Certifying copies of resolutions and minutes	Director of Legal and Democratic Services
	Sections 16, 23, 25 and 29	Relating to requisitions for information, dangerous trees, dangerous excavations and protection of buildings	Director of Planning, Transport and Public Protection
	Part II	To act as Authorised Officer for the purposes of Part II (Hackney Carriages and Private Hire Vehicles)	Director of Planning, Transport and Public Protection
	SS50(4), 53(3), 56(2), (3) & 4, 58(2), 68 and 72	To appoint additional authorised Officers, where necessary,	Director of Planning, Transport and Public Protection
Rent Act 1977	Part IV	To exercise the functions of proper officer under the provisions of Part IV of the Rent Act 1977	Director of Planning, Transport and Public Protection
Representation of the People Act 1983		With the exception of powers reserved to the Council as set out in Article 4, to exercise the Council's powers and duties in relation to electoral registration and local and parliamentary elections.	Executive Director of Resources
Public Health (Control of Disease) Act 1984	S48 S59	Certifying that the retention of a body in a building would endanger health Authentication of documents relating to matters within the post's responsibility	Director of Public Health
Access to Information Act 1985	All		Director of Legal and Democratic Services
Berkshire Act 1986	Sections 32, 33, 35, 36, 37 and 38	Fire and safety matters	Director of Planning, Transport and Public Protection
Local Government and Housing Act 1989	Section 2	To retain on deposit a list of politically restricted posts	Monitoring Officer

	Section 4	Designated as 'Head of Paid Service'.	Chief Executive
	Section 5	Designated as Monitoring Officer	Director of Legal and Democratic Services
	Section 6	Officer responsible for financial administration	Director of Finance
		To undertake all matters relating to the formal establishment of political groups within the membership of the Council.	Monitoring Officer
Food Safety Act 1990		To act as Proper Officer for the purposes of the Act, including the authentication of documents.	Director of Planning, Transport & Public Protection
Local Government (Committees and Political Groups) Regs 1990	All	Dealing with political balance on committees	Monitoring Officer
Local Authorities (Referendum) (Petitions and Directions) Functions Regulations 2000	Part 2	Petitions and Referendums	Director of Legal and Democratic Services
Local Government Act 2000		Acting as PO for all the responsibilities under the LGA2000 and subordinate legislation	Monitoring Officer
Freedom of Information Act 2000	Section 36	Qualified Person to grant exemption	Monitoring Officer
Local Authorities (Standing Orders) (England) regulations 2001		Giving notice of appointments and dismissals of officers in accordance with the regulations	Chief Executive or Monitoring Officer
Housing Act 2004	Section 4	To inspect where an 'official complaint' on the condition of residential premises under Sub-Section 2 is received and, where Sub-Section 6 applies, to produce a report	Director of Planning, Transport & Public Protection
Traffic Management Act 2004	Section 17(2)	To act as the Council's Transport Manager in respect of the performance of the authority's network management duty.	Director of Planning, Transport & Public Protection
Mental Capacity Act 2005	Section 45	To act as the Appointee of the Department of Work and Pensions and Deputy of the Court of Protection	Director of Adult Social Care
Coroners and Justice Act 2009		To appoint coroners	Director of Planning, Transport and Public Protection in consultation with Director for Legal and Democratic Services
Health Protection (Notification Regulations) 2010	Regs 2, 3, and 6	Receipt and disclosure of notification of suspected notifiable disease, infection or contamination in patients and dead persons	Director of Public Health

Localism Act 2011	Section 33	Determination of written requests from members for dispensations where they have a disclosable pecuniary interest	Monitoring Officer
Local Authorities Petition Regulations 2011	Reg 4	To publish the verification number of Local Government electors for the purposes of petitions for holding a referendum on changing to a different form of governance	Director of Legal and Democratic Services
Local Authorities (Conduct of Referendums) (England) Regulations 2012		Conducting Referenda	Director of Legal and Democratic Services
Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012	Reg 7	Access to agenda and connected reports for public meetings	Monitoring Officer
	Reg 10	General exception to publication and access duties	Monitoring Officer
	Reg 15	Inspection of background papers	Monitoring Officer
	Reg 20	Confidential Information and exempt information	Monitoring Officer

* In relation to appointments of proper officers under section 234 of the Local Government Act 1972 the appointments shall be to each of the officers to sign, any notice, order or other document required to be made, given, or issued to give effect to the powers delegated to them only where:

(i) They or one of their staff has budgetary or management responsibility for that function; and

(ii) The officer appointed is qualified to carry out the functions of a proper officer; and

(iii) The Council's standing orders or the law does not require the function to be carried out by someone else.

7. Statutory Officers

Legislation	Function	Officer
S4 Local Government & Housing Act 1989	Head of Paid Service	Chief Executive
S5 Local Government & Housing Act 1989	Monitoring Officer	Director of Legal & Democratic Services
S151 Local Government Act 1972 and Section 114 of the Local Government Finance Act 1988	Chief Finance Officer	Director of Finance
Section 8, Representation of the People Act 1983	Electoral Registration Officer	Executive Director of Resources
Section 35, Representation of the People Act 1983	Returning Officer / Acting Returning Officer	Executive Director of Resources

S6(A1) Local Authority Social Services Act 1970	Director of Adult Social Services	Executive Director of Communities & Adult Social Care
S18 Children Act 2004	Director of Children's Services	Executive Director of Children's Services
S71(1)(a) Weights and Measures Act 1985	Chief Inspector of Weights and Measures	Public Protection Manager
S21ZA of the Local Government Act 2000 (as amended by Section 31 of the Local Democracy, Economic Development and Construction Act 2009)	Scrutiny Officer	Democratic Services Manager
Data Protection Act 2018 and GDPR	Data Protection Officer	Information Rights Services Manager
Regulation of Investigatory Powers Act 2000 as amended	RIPA Monitoring Officer	Information Rights Services Manager
Section 2(6)(zb) of the Local Government and Housing Act 1989, inserted by Schedule 5 of the Health and Social Care Act 2012.	Director of Public Health	Director of Public Health

Part 4 - Rules of Procedure

Council and Committee Procedure Rules (Standing Orders)

AS TO TYPES OF MEETINGS

1. ANNUAL MEETING OF THE COUNCIL

1.1 Timing and Business

In a year when there is an ordinary election of Councillors, the annual meeting will take place within 21 days of the retirement of the outgoing Councillors. In any other year, the annual meeting will take place in March, April or May.

The annual meeting will:

(i) elect a person to preside if the Mayor is not present;

(ii) elect the Mayor;

(iii) elect the Deputy Mayor;

(iv) approve the minutes of the last meeting;

(v) receive any announcements from the Mayor and/or Head of Paid Service;

(vi) appoint the Leader, Deputy Leader and Lead Councillors;

(vii) approve the arrangements for the exercise of the authority's statutory overview and scrutiny functions;

(viii) approve a programme of ordinary meetings of the Council for the year; and

(ix) consider any business set out in the notice convening the meeting.

1.2 Selection of Councillors on Committees

At the annual meeting, the Council meeting will:

(i) decide which committees and sub-committees to establish for the municipal year;

(ii) decide the size and terms of reference for those committees and sub-committees;

(iii) decide the allocation of seats [and substitutes] to political groups in accordance with the political balance rules;

(iv) receive nominations of Councillors to serve on each committee, sub-committee and outside body; and

(v) appoint to those committees, sub-committees and outside bodies.

(vi) appoint the Chairs and Vice-Chairs of those committees in accordance with Standing Order 31

1.3 Business

The business at the Annual Council Meeting shall be limited to the purposes for which the meeting was called as set out in the notice of the meeting.

2. ORDINARY MEETINGS

Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's annual meeting.

3. EXTRAORDINARY MEETINGS

3.1 Calling Extraordinary Meetings.

Those listed below may request the Head of Paid Service to call Council meetings in addition to ordinary meetings:

i) the Council by resolution;

ii) the Mayor;

iii) the Leader;

iv) the Head of Paid Service, Monitoring Officer, or Chief Finance Officer; and

v) any five members of the Council if they have signed a requisition presented to the Mayor and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

3.2 Business

The business at such meetings shall be limited to the purposes for which the meeting was called as set out in the notice of the meeting.

AS TO MEETINGS OF THE COUNCIL – MOTIONS, QUESTIONS AND PETITIONS

4. Arrangements for Meetings

4.1 Start of Meeting

At each meeting of the Council, the Chair must be taken at exactly the time at which the meeting is due to start. The business of the meeting must begin immediately.

4.2 Chair of the Meeting

If the Mayor does not chair the meeting, any other person who takes the Chair will have all the powers and duties of the Mayor relating to the conduct of the meeting.

4.3 Quorum for the Meeting

(1) The quorum for a meeting is the number of Councillors required to be present before the meeting can take place, or continue.

(2) The quorum for a Council meeting is a quarter of all members of the Council. This currently is 12.

(3) If, during a Council meeting, the Mayor or another Councillor notices that there is not a quorum present, the Mayor must announce that this is the case and adjourn the meeting. At that time the Mayor should set a time for the meeting to restart. If the Mayor does not set a time for the meeting to restart, any business that has not been dealt with will be adjourned to the next ordinary meeting of the Council.

4.4 Adjournment Motion

At the end of any speech after 9.30 pm, any Councillor can move a motion to adjourn the meeting until 6.30 pm the next day. There must be no debate on this motion. If an adjournment motion is lost, no Councillor may move another adjournment motion within the next hour.

5. Order of Business

(1) The Summons for a Council meeting shall set out the items of business to be considered at that meeting.

(2) The first four items of business at each Council meeting will be:

(a) To choose someone to take the Chair if the Mayor or Deputy Mayor are absent;
(b) Mayor's announcements;
(c) To deal with any business that is required by law to be dealt with before other business;
(d) To approve and sign the Minutes of the last meeting of the Council as a correct record.

For ordinary meetings of the Council, the following items should be considered next:

(e) To consider any motion to remove the Leader, in which case the item must be followed by (f);
(f) To appoint the Leader of the Council (where required);
(g) To receive petitions under Standing Order 8;
(h) To answer questions under Standing Order 9;
(i) To answer questions under Standing Order 10;
(j) To consider reports or announcements from the Leader of the Council or Lead Councillors;
(k) To receive presentations on matters for which there are reports from officers;
(l) To consider reports from officers;
(m) To consider recommendations from Committees, and associated reports;
(n) To consider motions in the order in which they have been received;
(o) To deal with any business remaining from the last meeting;
(p) Any other business specified in the Summons.

(3) The order of items may be changed:

(a) At the discretion of the Mayor;
(b) By Motion. The motion must be moved, seconded and put to the vote without discussion. This motion need not be in writing.

6. Motions which do not Need to be Submitted in Writing before the Meeting

The following motions do not need to be submitted in writing before the meeting. They should however be proposed and seconded and put in writing before they are discussed:-

(a) To move a motion about the accuracy of the Minutes;
(b) To move a motion to do with the Mayor's announcements;
(c) To refer an item back to a Committee for further consideration:
(d) To appoint a Committee of one or more of its Members arising from an item mentioned in the Summons to the meeting;
(e) To consider reports from and the Minutes of Committees or other bodies or Officers, and to move any other resolutions that are necessary because of this;
(f) To suspend Standing Orders, in accordance with Standing Order 26;
(g) To exclude the public under Section 100A of the Local Government Act 1972 (as amended);
(h) To request a Councillor to stop speaking, or to leave the meeting, in accordance with Standing Order 21;
(i) To give the consent of the Council where it is required under Standing Orders.

The following motions do not need to be in writing at all:-

(j) To appoint a Chair of the meeting;
(k) To ask permission to withdraw a motion;
(l) To move to the next item of business;

(m) To vote on the motion or amendment being discussed, in accordance with Standing Order 16;
(n) To adjourn the meeting under Standing Order 4.
(o) To change the order of business under Standing Order 5(3)(b)

7. Motions which Need to be Submitted in Writing before the Meeting

(1) If a Councillor wishes to move a motion at a Council meeting (except those listed in Standing Order 6) the Councillor must submit it in writing. The motion must be sent to and received by the Director of Legal and Democratic Services at least six clear working days before the Council meeting. **(This means that if the Council meeting is on a Tuesday, the motion must be received in writing by 12.00 noon on the Friday two weeks before, assuming that no Bank Holidays fall within this period)**.

(2) The Director of Legal and Democratic Services will number and date all motions in the order they are received and keep a record which can be inspected by all Councillors.

(3) The Summons to the meeting will set out all the motions which have been submitted in accordance with paragraph 7(1) above in the order in which they have been received, unless:

(a) The Councillor submitting the motion states in writing that he/she wants the motion to be considered at a later meeting of the Council instead;

(b) The Councillor submitting the motion has withdrawn it, in writing. A Councillor may withdraw any motion of which he/she has given notice that he/she will move up till midday two clear working days before the Council meeting**. (This means that if a Council meeting is on a Tuesday, the Motion may be withdrawn up to 12 noon on the preceding Thursday.)**

(4) If a Councillor does not move a motion which he/she has submitted in writing, and it is not moved by someone else on his/her behalf, it will not be considered at the meeting. However, the Council can agree to consider the motion at a future meeting, instead. If the Council does not agree to do this, the Councillor may submit the motion in writing again for a future meeting.

(5) Each motion must be relevant to the Council's powers and duties or be about a matter which affects the Borough or its residents.

8. Petitions

(1) A member of the public may present a petition to Council or a Committee provided the petition has not previously been considered by a committee, sub-committee or other body established by the Council.

(2) Petitions presented must be received by the Director of Legal and Democratic Services by not later than 12 noon four clear working days before the day of the meeting.
(For example, this means that if a Council meeting is on a Tuesday, the petition must be received in writing by 12 noon on the Tuesday before).

(3) Petitions must be presented in the order in which they have been received.

(4) A petitioner may only submit one petition to any Council or Committee meeting. The petitioner may present the petition to the Council or Committee but may not speak for longer than three minutes in total, and the Mayor or Chair shall be able to set a shorter time limit if the number of petitions being presented to the Council or Committee meeting in question warrants this.

(5) The same petition may only be presented once and may not be submitted to a subsequent meeting of another meeting.

(6) Where petitions are submitted to the Council or Committee:

(a) The Leader or Lead Councillor or Chair responsible will reply to the petition, and, if appropriate, may indicate the body of the authority to which the petition will be referred.
(b) There will be no right of reply by the petitioner, and no debate.

(c) The time limit for the consideration of petitions and questions from members of the public is thirty minutes in total.
(d) If petitions are not presented or heard within the time limit they will be referred to the relevant Committee, Sub-Committee or other Council body.
(e) Where a petition is submitted to the Council signed by 1,500 or more people who live, work or study in the local authority's area, the Director of Legal and Democratic Services, at the request of the Lead Petitioner, will include the topic of the petition on the next available appropriate agenda to allow a debate on the matter. [Petitioners must demonstrate they live, work or study in the Borough for example by providing a valid postcode for their home address or place of work or study on signing the petition. Petitioners who do not live, work or study in the Borough will not be counted towards the 1,500 signatories that can trigger a debate].
(f) That, in relation to Council Procedure Rule 8(6)(e) above, the petition organiser will be entitled to address the Council or Committee on the topic of the petition but may not speak for longer than five minutes in total without special dispensation from the Mayor.
(g) If the petition is about a planning application or a licensing application or a matter before the Standards Committee refer to Council Procedure Rule 36(4).

9. Questions from Members of the Public

(1) Subject to the provisions of this Standing Order, a member of the public may ask a question:

(i) about any matter relating to the Council's powers and duties;

(ii) about a matter which affects the Borough or its residents; or

(iii) about a matter which affects an organisation on which the Council is represented by a Councillor appointed or nominated by it, **and** which falls within (ii) above.

(2) Any such question may be answered by the following, as appropriate:

(a) the Leader or Lead Councillors
(b) a Committee or Sub-Committee Chair
(c) any Councillor appointed or nominated by the Council to an outside body

(3) Questions under this Standing Order must be submitted by the questioner in writing to the Head of Legal and Democratic Services by not later than 12 noon four clear working days before the meeting **(This means that, for example, if the meeting is on a Tuesday, the question must be received in writing by 12 noon on the Tuesday before, assuming that no Bank Holidays fall within this period)**.

(4) Any person specified in (2)(a), (b) or (c) above, may reserve the right to reply in writing to a question submitted in accordance with (1) above, where s/he considers:

(a) that the question is a repetition of a question asked at a previous meeting of the Council within the last twelve months;
(b) that the reply contains purely factual information and could more readily be provided in written form;
(c) that to reply orally would represent an inappropriate use of the time provided for questions from members of the public under Standing Order 9(6) below.

(5) The member of the public shall ask the question himself/herself. To clarify a reply to the question s/he has asked, a member of the public may ask one supplementary question, provided the reply to the original question was not given under the provisions of Standing Order 9(4) above. If the questioner is not present, the question will be answered in writing as provided in Standing Order 11(3).

(6) The time limit at each Council meeting for questions from members of the public and petitions is thirty minutes in total. This time limit cannot be extended. There shall also be a time limit of five minutes for each answer given orally to a question from a member of the public.

(7) A member of the public may ask no more than three questions at any one Council meeting

(8) Questions answered in writing and questions which are not answered because they fall out of time shall be recorded in the Minutes of the meeting, in the same manner as those answered orally.

10. Questions from Councillors

(1) Subject to the provisions of this Standing Order, a Councillor may ask a question about any matter relating to the Council's powers and duties; or which affects the Borough or its residents or which affects an organisation on which the Council is represented by a Councillor appointed or nominated by it.

(2) Any such question may be answered by the following as appropriate:

(a) the Leader or Lead Councillors
(b) a Committee or Sub-Committee Chair
(c) any Councillor appointed or nominated by the Council to an outside body

(3)

(a) Subject to (b) below, questions under this Standing Order must be delivered in writing to the Director of Legal and Democratic Services by no later than 12 noon four clear working days before the meeting. **(This means that, for example, if the meeting is on a Tuesday, the question must be received in writing by 12 noon on the Tuesday before, assuming that no Bank Holidays fall within this period)**.

(b) The time limit set out in (a) above may be waived to allow a Councillor to ask a question on any matter as described therein, where the Mayor and the Monitoring Officer are satisfied that the circumstances giving rise to the question have arisen after the date specified and that the matter is of genuine urgency, and provided that the question is received in writing by 12 noon on the day before the Council meeting.

(c) Questions asked under Standing Order 10(3)(b) shall not be subject to the time limit at each Council meeting for questions from Councillors, specified in Standing Order 10(4).

(4) The time limit at each Council meeting for questions from Councillors is thirty minutes. This time limit cannot be extended. There shall also be a time limit of five minutes for each answer given orally to a question from a Councillor.

(5) The Councillor shall ask the question him/herself. In his/her absence the question shall be asked by the relevant Group Leader or his/her nominee. To clarify a reply to a question, any Councillor may ask a supplementary question. Only one supplementary may be asked unless the Mayor allows more.

(6) A Councillor may ask no more than three questions at any one Council meeting.

(7) Questions answered in writing shall be recorded in the Minutes of the meeting in the same manner as those answered orally.

11. Rules applying to all Questions asked under Standing Orders 9 and 10

(1) Questions will be asked in the order received by the Director of Legal and Democratic Services.

(2) The Councillor of whom the question is asked may decide how to reply and may ask any other Councillor to reply on his/her behalf.

(3) If questions are not answered within the time limit the Director of Legal and Democratic Services will ensure that the Councillor or member of the public receives a written answer within two days of the Council meeting.

12. Minutes of Council Meetings

(1) A copy of the Minutes of each meeting of the Council must be sent to each Councillor before the next ordinary scheduled meeting of the Council.

Where an extraordinary meeting of the Council has been called (under paragraph 3 of Schedule 12 of the Local Government Act 1972), the Minutes of this meeting will be sent to each Councillor before the next ordinary scheduled meeting of the Council and will be signed at that meeting.

(2) If a report or document mentioned in the Minutes has been sent separately to each Councillor, or is required by law to be published, it need not be sent out with the Council Minutes.

(3) The Mayor must ask whether the Minutes of the meeting of the Council held on the …… day of …… constitute a correct record.

(4) No discussion must take place about the Minutes, except about their accuracy. Any questions on the accuracy of the Minutes must be asked by a Member moving a motion. If no question is raised, or when a question has been raised and dealt with, the Mayor shall sign the Minutes.

13. Consideration of Recommendation from Committees

(1) When a Committee makes a recommendation to the Council, an item shall be included on the Agenda for the next Council meeting and a report on the matter, including the Committee recommendation, shall be circulated with the agenda for the Council Meeting at which the recommendation is considered, or sent to each Councillor, on or before the day of the Council meeting.

(2) Where a recommendation is made to Council by a Committee, it will be moved by the Chair or Vice-Chair, or by the responsible Lead Councillor, or by another Councillor nominated by the Chair or Vice-Chair, as appropriate.

Where a recommendation is made to Council by an officer in a report, it will be moved by the Leader or the responsible Lead Councillor or by another relevant Councillor.

(3) Any amendment to a recommendation of a Committee must be put in writing and be available to the Council before it can be discussed.

(4) The rules for debating recommendations from Committees are the same as those applying to motions or amendments, as set out in Standing Order 14.

AS TO RULES OF DEBATE

14. Motions or Amendments

(1) All motions and amendments must be proposed and seconded.

(2) A motion or an amendment must be put in writing and be available to the Council before it can be discussed, unless it arises under Standing Orders 6(j) to (o), 14(10) & (11),16, 21 and 26.

(3) **Seconder's Speech**

A Councillor who seconds a motion or an amendment, does not have to speak immediately, but may reserve his/her right to speak until later in the debate.

(4) **One Councillor to Speak at a Time**

If two or more Councillors indicate they wish to speak together, the Mayor will ask one to speak and the others should then wait to be called to speak by the Mayor. When a Councillor is speaking, other Councillors must remain silent unless to make a point of order or to give a personal explanation.

(5) **Content and Length of Speeches**

A Councillor must only speak on the subject under discussion, in personal explanation or on a point of order. A Councillor may only speak for five minutes. A mover of a motion must limit his/her speech and reply to the debate to five minutes each, unless the Council allows otherwise.

(6) **When a Councillor may Speak Again**

A Councillor may only speak once on any motion whilst it is the subject of debate. The exceptions to this rule are:
(a) If he/she wishes to speak once on an amendment moved by another Councillor;
(b) If the motion has been amended since he/she last spoke, to move a further amendment;
(c) If his/her first speech was on an amendment moved by another Councillor, he/she may speak to the main motion, whether or not the amendment was carried;
(d) To exercise his/her right of reply;
(e) On a point of order;
(f) In personal explanation.

(7) **Amendments to Motions**

Amendments must be relevant to the Motion. They may only be moved:

(a) To refer a subject of debate to a Committee for consideration or reconsideration;
(b) To leave out words;
(c) To leave out words and insert or add others;
(d) To insert or add words;
(e) Not to approve a recommended item contained in a set of Minutes submitted to the Council.

An amendment must only be used to make changes to the substance of a motion. It must not be used simply to negate the Motion.

(8) Only one amendment may be moved and discussed at a time. A Councillor must not move a further amendment until the amendment under discussion has been dealt with.

(9) If an amendment is lost, other amendments can be moved on the original motion. If an amendment is carried, the amended motion takes the place of the original motion. The amended motion then becomes the motion upon which any other amendment can be moved.

(10) **Alteration of a Motion**

If Council gives its consent (which must be given without discussion) a Councillor may:

(a) Alter a motion which he/she has submitted in writing before it is moved;
(b) Alter a motion which he/she has moved, with the agreement of the seconder.

Any alteration made by the mover of a motion must be one that could be moved as an amendment to the motion (see Standing Order 14(7) above).

(11) **Withdrawal of a Motion**

A motion or an amendment, once moved and seconded, may be withdrawn by the Councillor who moved it, with the consent of the Council. This must be without discussion. No Councillor can speak about the motion once permission has been given to withdraw the motion.

(12) **Right to Reply**

(a) The mover of a motion has a right of reply at the end of debate on the motion, just before it is put to the vote;
(b) The mover of an amendment has the right of reply on his/her amendment. The Mayor will not call upon him/her to reply, however, until the mover of the motion has had the opportunity to speak about the amendment;
(c) The mover of an amendment or motion must not introduce any new issues in his/her right of reply.

15. Motions which may be Moved during Debate

When a motion is being debated, no other motion shall be moved, except the following:

(a) To amend the motion;

(b) To adjourn the meeting under Standing Order 4;
(c) To vote upon the motion;
(d) To request a Councillor not to speak again under Standing Order 21;
(e) To request a Councillor to leave the meeting, under Standing Order 21;
(f) To exclude the public under Section 100A of the Local Government Act 1972 (as amended);
(g) To ask permission to withdraw a motion;
(h) To give the consent of the Council where it is required under Standing Orders.

16. Closure Motions

(1) At the end of any speech the Councillor, whether or not he/she has spoken to the motion or amendment, may move 'that the motion or amendment be voted upon'.

(2) If the Mayor thinks that the matter has been discussed sufficiently, he/she must ask the Council to vote on the motion that a vote be taken. If the motion that a vote be taken is passed, before the vote is taken the Mayor must:

(a) If it is a motion, allow the mover of the motion a right of reply;
(b) If it is an amendment, allow the mover of the motion to speak if he/she has not already done so, and then allow the mover of the amendment to reply.

17. Points of Order

(1) A Councillor should stand up if he/she has a point of order or wishes to give a personal explanation. He/she must be heard immediately.

(2) A point of order must relate to either an alleged breach of Standing Orders or statutory provision. The Councillor must specify what Standing Order or statutory provision he/she considers to have been breached and how he/she considers it to have been breached.

(3) A personal explanation must relate to part of a former speech he/she has made earlier in the debate, which appears to have been misunderstood.

(4) The Mayor must decide whether a point of order or a personal explanation is relevant. The Mayor's ruling is final.

18. Respect for the Chair

Councillors must always address the Mayor. Whenever the Mayor stands up during a debate, any Councillor must stop speaking, and the Council must be silent.

19. Use of Official Titles

When speaking, all Councillors must refer to other Councillors or Officers by their official titles.

20. Debate affecting People employed by the Council

The appointment, promotion, dismissal, salary, superannuation, conditions of service or conduct of an employee of the Council, must not be discussed until the Council has considered whether the public should be excluded under Section 100A or Section 100E of the Local Government Act 1972 (as amended).

21. Disorderly Conduct at Council Meetings

(1) The Mayor should advise the Council if he/she considers that, during a meeting of the Council, a Councillor is:

(a) Misconducting himself/herself by ignoring the ruling of the Chair; or
(b) Behaving irregularly, improperly or offensively; or
(c) Wilfully obstructing the business of the Council.

The Mayor, or any Councillor may move 'that the Councillor named must not speak again' on the matter being discussed. If the motion is seconded, it must be put to the vote without discussion.

(2) If the Councillor in question continues his/her misconduct after such a motion has been carried, the Mayor shall:

(a) Move 'that the Councillor named must leave the meeting'. This motion should be put to the vote without seconding or discussion; or
(b) Adjourn the meeting for such time that he/she considers necessary.

(3) If there is a general disturbance which the Mayor feels makes it impossible to continue with the business of the meeting, he/she may, without debate, adjourn the meeting for any length of time that he/she considers necessary.

22. Interruption of a Meeting by Members of the Public

If members of the public interrupt the proceedings of a meeting, the Mayor should warn them that if they do not stop, they will be asked to leave the meeting. If they continue the interruption, the Mayor may order the members of the public to leave the Council Chamber. If there is a general disturbance in the part of the Chamber open to the public, the Mayor must order everyone in that part of the Chamber to leave.

23. Resolutions already made by the Council or Committees

(1) The Council may only pass a motion:

(a) To cancel any motion, resolution or amendment which has been passed by the Council or by a Committee or Sub-Committee exercising delegated powers, within the last six months; or
(b) Which would have the same effect as any motion, amendment or resolution that has been moved and lost at a Council meeting within the last six months;

if permission to move the motion is given at a meeting of the Council where at least 24 Councillors are present and vote in favour.

(2) If a Committee or Sub-Committee wishes to cancel a resolution it has made itself, it must take a recommendation directly to the Council. The decision cannot be cancelled unless at least 24 Councillors are present and vote to give permission to move a motion to cancel the decision.

(3) Once the Council has given this permission, the motion to cancel a decision still has to be moved. This does not have to be passed by 24 Councillors, but by a simple majority.

(4) The period of six months will begin from the end of the meeting at which the decision has been made.

24. Voting

(1) Subject to (3) below, all voting will be done by show of hands, unless three Councillors demand that the vote be recorded. If this happens, then the names of those voting for or against the motion or amendment must be taken down in writing and entered in the Minutes. Any Councillor present who does not vote must declare that he/she is abstaining.

(2) Where a non-recorded vote has been taken, any Councillor may request immediately after the vote that how s/he voted, or the fact that s/he abstained from voting, should be recorded in the Minutes of the meeting.

(3) Where any vote is taken at a Council meeting on setting the budget for the authority, then the Minutes of the meeting will record the names of all Councillors present at the vote and how each Councillor voted (for or against) or the fact that they abstained from voting. Therefore every such vote shall be treated as a recorded vote under (2) above.

Such votes will be on any decision to make the budget calculation required under Sections 31A, 31B, 34 to 36A, 42A, 42B, 45 to 49, 52ZF and 52Z of the Local Government Finance Act 1992, or to issue a precept under Chapter 4 of Part 1 to that Act,

These decisions will have been included as items of business on the agenda for the meeting.

25. Recommendations from Scrutiny Reviews undertaken by Overview and Scrutiny Panels

(1) This Standing Order applies where a Committee is undertaking, at the request of the Council, a scrutiny review of a function of the authority under the provisions of para. 6.3(b) of Article 6 to the Constitution.

(i) A Committee may at any time during the course of a scrutiny review make interim recommendations to the Council seeking authority to proceed to the next stages of the review. These recommendations may be accompanied by a report and shall be considered in accordance with Standing Orders 5(2)(m) and 13 to 24.

(ii) At the conclusion of each individual scrutiny review the Committee shall submit its conclusions and any recommendations which may be accompanied by a report to the next available meeting of the Council.

(iii) When the recommendations first appear before the Council in accordance with paragraph (ii) above, the Chair of the Committee shall introduce the report following which the Leader or relevant Lead Councillor shall make a statement in relation to the report and its recommendations.

(iv) The Council, having debated the recommendations, may take one or more of the following decisions in respect of all or individual recommendations:

a. to accept the recommendations – in which case they will then be implemented
b. to accept the recommendations with amendments – in which case they will be implemented unless Council resolves to refer the amendments back to the Committee for further consideration
c. to make alternative proposals for the Committee to consider
d. to note the recommendations but take no further action
e. to reject the recommendations
f. a variation of any of the above

(v) The recommendations of the Scrutiny Panel shall be dealt with in accordance with the Standing Orders 13 to 24.

AS TO SEALING OF DOCUMENTS, MEMBERS' INTERESTS AND SUSPENSION OF STANDING ORDERS

26. Suspension of Standing Orders

The Council may, by passing a resolution, suspend all or any of its Standing Orders if two thirds of the Councillors present at a meeting of the Council, at the time when the vote is taken, vote to give permission to do so.

27. Sealing of Documents

(1) The Common Seal of the Council must be kept in the custody of the Director of Legal and Democratic Services.

(2) Any documents which need to be sealed before a decision of the Council or a Committee or Sub-Committee can be put into effect, must be sealed with the Common Seal of the Council, and may be sealed electronically.

(3) The Seal shall be attested by a single officer; the Director of Legal and Democratic Services, or any other officer of the Council delegated by the Director of Legal and Democratic Services to seal on his/her behalf.

(4) The Director of Legal and Democratic Services must enter the details of each document that has been sealed into a Seal Register. He/she must also record the date on which this was done.

28. Councillors' Interests in Contracts and Other Matters

At any meeting subject to these Standing Orders, if any Councillor present declares that s/he has a disclosable pecuniary interest (as defined in the Member Code of Conduct) which relates to or is likely to affect an item of Council business being transacted at a meeting of the authority at which s/he is present, s/he may make representations, answer questions and give evidence on the item of business, subject to there being equivalent public speaking rights, but s/he may not participate in the discussion or vote on the item of business, and s/he should leave the meeting before any discussion on the item of business takes place at the meeting and before the vote on the item of business is taken.

AS TO CHIEF OFFICERS

The Officer Employment Rules are set out in Part 4 of the constitution.

AS TO MEETINGS OF COMMITTEES

NB References to a Committee shall include a Sub-Committee unless otherwise indicated.

29. Summoning Committees

(1) Any Committee can be summoned at any time at the request of the Chair, or any three members of the Committee, with the exception of the Standards Committee or the Personnel Committee when a particular post is under discussion.

(2) Additional meetings of the Policy Committee may be called to deal with urgent items of business as set out in Article 7.7 of this Constitution.

30. Quorum

(1) The quorum for a meeting is the number of people required to be present before the meeting can take place or continue. The quorum for bodies set up by the Council shall be three unless specified otherwise and for the following meetings is as follows:

Standing Committees (including Policy Committee)	five
Planning Applications Committee	five
Licensing Applications Committee	four
Licensing Applications Sub-Committees	two

(2) The quorum for the Policy Committee when an additional meeting is called to conduct urgent items of business shall be three, as set out in Article 7.7 of this Constitution.

31. Election of Chair and Vice-Chair

The Council may at its Annual Meeting or at any other meeting held for the purpose of appointing Committees, appoint the Chairs and Vice-Chairs of those Committees. More than one Vice-Chair may be appointed for any one Committee.

Subject to the above, the Councillors on each Committee must elect one of their number as Chair at the first meeting of the Committee.

32. Attendance by Councillors at Committees and Overview and Scrutiny Panels

(1) A Councillor, who is not a member of a particular Committee or Sub-Committee, may attend any meeting of that Committee or Sub-Committee as an observer. If the Councillor wishes to make a statement on any of the items on the Agenda, s/he may do so at the invitation of the Chair. He/she must give notice to the Chair before the meeting that s/he wishes to speak on an item. The Councillor may only make a statement on any matter considered by the Committee or Sub-Committee following a resolution to exclude the press and the public if the Chair is satisfied:

(a) that the item directly affects the Ward which the Councillor represents.

(b) that the Councillor is the Chair or Vice-Chair of a Committee with an interest in the item.
(c) that the Councillor is a Lead Councillor with an interest in the item.

(2) Standing Order 32(1) does not apply to:

(i) a meeting of the Personnel Committee, when a particular post or postholder is under discussion, or to meetings of the Standards Committee. In such cases Standing Order 32(3) below, will apply.

(ii) a meeting of a Licensing Applications Sub-Committee dealing with applications and reviews under the Licensing Act 2003. In such cases, a Councillor can only speak at the Sub-Committee meeting if s/he has submitted a relevant representation to the Licensing Authority or is representing another interested party who has submitted a relevant representation (see the Licensing Guidelines for further details).

(3) When the Standards Committee is meeting, or the Personnel Committee is considering an appointment or matter related to a particular post or post-holder, the Leaders of each group registered with the Head of Paid Service under the Local Government (Committees and Political Groups) Regulations 1990 will have the following rights:

(a) If they are not members of the Committee, the right to attend meetings of the Committee as observers (or the right to nominate other Councillors to attend on their behalf)
(b) If they are members of the Committee, the right to nominate an additional Councillor to attend the meeting as an observer.

33. Respect for the Chair

Councillors shall always address the Chair. If they are requested by the Chair not to speak further on a particular item, they must not do so.

34. Disorderly Conduct at Committee and Sub-Committee Meetings

(1) The Chair should advise the meeting if he/she considers that, during a meeting, a member of the Committee or Sub-Committee is:

(a) Misconducting himself/herself by ignoring the ruling of the Chair; or
(b) Behaving irregularly, improperly or offensively; or
(c) Wilfully obstructing the business of the meeting.

(2) The Chair or any other member of the Committee or Sub-Committee may move 'that the Councillor named must not speak again' on the matter under discussion. If the motion is seconded, it must be put to the vote without discussion.

(3) If the Councillor continues his/her misconduct after such a motion has been carried, the Chair may:

(a) Move 'that the Councillor named must leave the meeting'. This motion must be put to the vote without seconding or discussion; or
(b) Adjourn the meeting for such time that he/she considers necessary.

(4) If there is a general disturbance which the Chair feels makes it impossible to carry on with the business of the meeting he/she may, without question, adjourn the meeting for any length of time that he/she considers necessary.

35. Interruption of Committee Meetings by a Member of the Public

If a person, other than a Councillor, interrupts the proceedings of any meeting, the Chair shall warn him/her that if he/she does not stop he/she will be asked to leave the meeting. If s/he continues the interruption the Chair will order that the member of the public must leave the meeting.

36. Participation by Members of the Public

(1) Subject to (3) and (4) below, members of the public may present a petition to a Standing Committee, subject to:

- The petition being about a matter relating to the Committee's powers and duties; and
- The petition being received by the Director of Legal and Democratic Services by no later than 12 noon, four clear working days before the day of the meeting.

(This means that, for example, if the meeting is on a Tuesday, the petition must be received in writing by 12 noon on the Tuesday before, assuming that no Bank Holidays fall within this period).

The petition will be dealt with under Standing Order 8 above.

(2) Subject to (3) below, a Councillor or a member of the public may ask the Chair of any Committee (but not the Standards Committee) a question about that body's powers and duties, if:

(a) It has been submitted in writing to the Director of Legal and Democratic Services;
(b) It has been received by him/her by not later than 12 noon four clear working days before the meeting.

(This means that, for example, if the meeting is on a Tuesday, the question must be received in writing by 12 noon on the Tuesday before, assuming that no Bank Holidays fall within this period).

The question will be dealt with under Standing Order 9 or 10 above.

(3) Questions asked in accordance with (2) above shall not be permitted if they involve consideration of confidential information or exempt information as defined in Paragraphs 1-7 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

(4) At meetings of the Planning Applications Committee, Licensing Applications Committee, Standards Committee or their sub-committees, a petition may not be submitted or a question may not be asked about any individual application to be determined or individual case to be heard at the meeting.

(5) There shall be a time limit of 30 minutes for public petitions and questions at Committees and a time limit of 30 minutes for Councillor questions.

36A. Public Speaking at Planning Applications Committee

(1) Public speaking at meetings of the Planning Applications Committee will be allowed in line with the resolutions of Planning Applications Committee on 23 September 1998 and 7 November 2001 (Minutes 55 and 57 refer):

In every case where an individual planning application is to be considered by the Planning Applications Committee, the Director of Planning. Transport and Public Protection will:

a) Inform all people who have commented on a planning application that the application is to be considered by the Committee, and the date of the Committee meeting, and
b) Send them information about the public speaking arrangements at Planning Committee.

(2) (a) Any persons receiving the information described in 1(a) above may notify the Director of Planning, Transport and Public Protection that they wish to speak on the application at the Planning Applications Committee meeting, subject to such notification being in writing and being received by the Head of Planning and Building Control by 12 noon two days before the Planning Applications Committee meeting **(this means that if the Committee meeting is held on a Wednesday, this notification must be received by 12 noon on the preceding Monday)**
(b) The local Reading MP may also give similar notice that he/she wishes to speak on the application at the Planning Applications Committee, subject to the site being within his/her constituency.

(3) Where the Director of Planning, Transport and Public Protection receives a notification under (2) above:

a) S/he will then notify the applicant and agent that other person(s) have given notice that they wish to speak on their application at the meeting.
b) The applicant and agent may notify the Director of Planning, Transport and Public Protection, up to 1:00pm of the day of the meeting, that they also wish to speak on the application.
c) Applicants/agents may only speak on their application if another person has given notice to speak under (2) above; and where they have themselves given notice to speak under 3(b) above.

(4) Public speaking will take place after the introduction of the item by the Chair/officers but before discussion of the item by the Committee.

(5) Public speakers who have given notice will speak first and together will be allowed a maximum of five minutes to address the Committee (unless the Chair of the Committee using his/her discretion, allows a longer period for public speaking), regardless of the number of public speakers, and whether they are objecting or supporting the application.

(6) The Committee may then ask questions of individual public speakers to clarify any points made by them.

(7) The applicant/agent of the application will then be allowed a maximum of five minutes to address the Committee.

(8) The Committee may then ask questions of the applicant/agent to clarify any points made by them.

(9) No members of the public will be allowed to address the Committee unless they have given notice to speak under (2) above or the Chair of the Committee uses his/her discretion to give such permission to speak.

(10) Members of Committee will then debate the proposal and make their decision.

(11) Public speaking may not take place on the same application more than once in any six month period, unless the Chair of the Committee, using his/her discretion, considers it is appropriate to do so, for example in cases where there has been a significant “material change in circumstances” within the preceding six months.

36B Public Participation in Standing Committees

(1) The Chair of a Standing Committee or Sub-Committee listed in Part 3 of this Constitution may, at his/her discretion, invite members of the public present at the meeting to indicate if they wish to speak on any particular item on the agenda, and to make up to five minutes available on any agenda item for public speaking, subject to:
- any one member of the public being able to speak on one item only on any Committee agenda;
- advance notice being encouraged, but not a requirement;
- the Chair having the discretion to end these flexible arrangements in the event of abuse of the right to speak, for example by representatives of political parties

(2) The Chair of a Standing Committee or Sub-Committee may invite local residents, stakeholders and partners, and/or members and officers of other bodies providing public services in Reading to attend a Committee meeting, to address the meeting, to discuss issues of local concern and/or answer questions.

(3) Any Partnership or Advisory /Consultative Panels listed in Article 10 of this Constitution may make recommendations to a relevant Committee or Sub-Committee, in which case a representative of the body may attend the Committee to speak to the agenda item when the recommendation is discussed by the Committee.

36C Putting Items onto Committee Agendas

(1) The Director of Legal and Democratic Services will determine the agenda for each Committee and Sub-Committee meeting, subject to consultation with the Leader and the Head of Paid Service and

Chief Financial Officer for the Policy Committee; and the Chair, responsible Lead Councillors and the lead officers for the other Committees.

(2) The Leader or a Lead Councillor may request the Director of Legal and Democratic Services to include an item on the agenda for the next available meeting of a Committee which covers part of his/her portfolio.

(3) An Opposition Group Leader or the Mayor may ask the Director of Legal and Democratic Services to put an item on the agenda of a Committee or Sub-Committee meeting for consideration, and if the Director of Legal and Democratic services agrees the item will be considered at the next available meeting, subject to there being no more than two such reports per Committee or Sub-Committee meeting. The notice of the meeting will give the name of the Councillor who asked for the item to be considered.

(4) The Head of Paid Service, Monitoring Officer and/or the Chief Financial Officer may include items for consideration on the agenda of any Committee or Sub-Committee meeting and may require that an additional meeting of a Committee be called in pursuance of their statutory duties.

37. Debate affecting People employed by the Council

The appointment, promotion, dismissal, salary, superannuation, conditions of service or conduct of an employee of the Council must not be discussed until a Committee or Overview and Scrutiny Panel has considered whether the public should be excluded under Section 100A or Section 100E of the Local Government Act 1972 (as amended).

38. Recording of Vote

Immediately after a vote has been taken, any Councillor may request that how she/he voted, or the fact that he/she abstained from voting, should be recorded in the Minutes of the meeting.

39. Application of Standing Orders to Committee Meetings

NB This Standing Order sets out the Rules of Debate, described in Council Procedure Rule 14 (above), which shall apply to Committee and Sub-Committee meetings.

(1) Any Councillor who is a member of the Committee or Sub-Committee may move an amendment to a recommendation contained in a report to that committee or Sub-Committee, or a recommendation moved by the Chair.

(2) All amendments must be proposed and seconded.

(3) Amendments must be relevant to the motion. They may only be moved:

(a) To leave out words
(b) To leave out words and insert or add others
(c) To insert or add words

(4) Only one amendment may be moved and discussed at a time. A Councillor must not move a further amendment until the amendment under discussion has been dealt with.

(5) If an amendment is lost, other amendments can be moved to the original recommendation. If an amendment is carried, the amended recommendation takes the place of the original. The amended recommendation then becomes the recommendation upon which any other amendments can be moved.

(6) An amendment, once moved, may be withdrawn by the Councillor who moved it, with the consent of the Committee or Sub-Committee.

(7) The mover of an amendment has the right of reply on his/her amendment at the end of the debate on the amendment.

40. Rights of Additional Members

(1) Committees and Sub-Committees shall not include additional members who are not members of the Council unless there is a statutory entitlement to do so.

(2) Representatives of Foundations Schools and Parent Governors will be co-opted to attend meetings of the Adult Care, Children's Services and Education when it is operating as an overview and scrutiny committee and considering education matters. These additional members may only vote on such education matters.

(3) Additional members may not serve as chair or vice-chair of a Committee or Sub-Committee.

41. Disclosure of Confidential or Exempt Information by Councillors

(1) No member or additional member shall disclose or quote in public the contents of any agenda, report or other document which is marked 'confidential' or 'not for publication' unless and until the document has been made available to the public or the press by or on behalf of the Council or a Committee or Sub-Committee.

(2) No member or additional member shall disclose to a non-member or quote in public any matter that is not otherwise published which has come to his/her knowledge by virtue of his/her office as a member of the Council where such disclosure would or may prejudice the interest of the Council.

41A Councillors' Interests in Contracts and other Matters

Standing Order 28 will apply to all Committees and Sub-Committees.

42. Decision Book

(1) Subject to the provisions of the constitution relating to the powers of the Council, the powers and duties of the Committees and Sub-Committees, Article 13.7, and the Scheme of Delegations, the Head of Paid Service, the Executive Directors, the Chief Financial Officer and the Monitoring Officer shall have power to take decisions on functions which have not been delegated to an officer, on behalf of the Council or the responsible Committees or Sub-Committee, subject to the following provisions:

(a) Before exercising any such delegation, the officer proposing to exercise the delegation shall consult with the relevant Lead Councillor(s) and shall prepare a report on the matter including the precise decision which is to be taken and a list of background papers as defined in the Local Government Act 1972 or any variation of that definition from time to time in force.

(b) The Head of Paid Service shall maintain a Decision Book in which all decisions made under this delegation shall be recorded together with copies of reports referred to in (a) above. The Decision Book shall be published on the Council's website and circulated electronically to all Councillors on publication.

(c) Copies of the reports shall be given to the press and the public on request in accordance with the Local Government Act 1972 or any amendment of it and any Regulation made under the provisions of the Local Government Act 2000.

(d) Members of the Council may reasonably request such copies of the reports as they require.

(e) Not less than three Members of the Council may request the Head of Paid Service in writing to refer a decision to the responsible Committee or Sub-Committee within a period of ten days of the decision being included in the Decision Book.

(f) Where a reference is requested in accordance with (e) above, no further action shall be taken on the decision in question by any officer unless the Head of Paid Service or Monitoring Officer is of the opinion that delay is likely seriously to damage the interests of the Council.

(2) This delegation may not be used to take any decision which is inconsistent with the Council's Policy and Budget Framework as described in the constitution.

AS TO SCRUTINY

43. The Overview and Scrutiny Procedure Rules are set out in Part 4 of the constitution

AS TO THE STANDARDS COMMITTEE

44. The rules governing the Standards Committee are set out in Article 9 of the constitution.

AS TO REVENUE AND CAPITAL EXPENDITURE

REVENUE

Council's Annual Budget

45. The Director of Finance shall collate annual revenue estimates as prepared by Directors and submit them to the Policy Committee, which shall recommend to the Council a budget for the ensuing year. This will include estimates of Council Tax, the General Fund Budget and the Housing Revenue Account or any other accounts that the Council is required or considers appropriate to maintain.

Budget Variations (overspends and underspends)

General Fund

46. The sum of all budget variations which are estimated for the financial year will be considered to be a Key Decision if exceeds additional net expenditure of £500,000 and results in the estimated level of the General Fund balance at 31 March as calculated by the Director of Finance, falling below the minimum balance requirement recommended by the Director of Finance and approved by Council in setting the budget.

Housing Revenue Account

47. The sum of all budget variations which are estimated for the financial year will be considered to be a Key Decision if it exceeds additional net expenditure of £500,000 and does not result in the estimated level of the HRA balance at 31 March, as calculated by the Director of Finance, falling below the minimum balance requirement recommended by the Director of Finance and approved by Council in setting the budget.

Council would need to consider any request from the Policy Committee, taking into account the advice from the Director of Finance on the level of balances.

Capital Project/Programme Budget

48. A budget variation will be considered to be a Key Decision if it is over £500,000 revenue or over £2.5m capital .

Virement (revenue budgets)

49. A virement shall be considered a Key Decision if it exceeds £500,000.

Virement (capital expenditure)

50. A virement shall be considered a Key Decision if it exceeds £500,000, the virement being between projects/programme within the approved Capital Programme of the service area for which spending approval has been given.

Revenue Virements of less than £500,000 and Capital Virements of less than £500,000 are subject to the procedures set out in the Budget Holders Manual and Financial Regulations.

Annual Accounts

51. After each financial year the Director of Finance shall present to the Council by the 30th September each year, the Annual Accounts and report a comparison of performance against estimates.

CAPITAL

Capital Programmes

52. Directors shall make arrangements for the preparation of the programme of estimated capital expenditure for consideration by the Policy Committee in consultation with the Director of Finance.

Approval to Spend

53. The inclusion of schemes in programmes of estimated capital expenditure shall not commit the Council to proceed with them, nor authorise expenditure to be incurred on them, except as otherwise provided by the Policy Committee or the Council from time to time in accordance with Standing Order 54 below.

54. A scheme included in the approved capital programme shall remain subject to

(i) spending approval in detail by the responsible committee or officer, as outlined in the Scheme of Delegation,

(ii) the Director of Finance confirming the availability of funds.

Approval of Government Departments

55. In addition to Standing Orders 53-54 above, where works or other matters are subject to the sanction of a Government Department, no contract shall be entered into, no money shall be expended or work done without such sanction being first obtained or a written intimation being received from the Government Department concerned that the sanction will be forthcoming, unless the Council has given specific authority to do so. Spending on projects which are funded, part-funded or otherwise sanctioned by a Government Department shall not commence without the further authority of the Director of Finance in order to ensure that the necessary funds are available.

SCHEDULE 12 OF THE LOCAL GOVERNMENT ACT 1972

Schedule 12 sets out various minimum requirements which procedural rules should reflect.
Reference should be made to the schedule itself, but in summary it provides that:

• the annual meeting must be held between 8 and 21 days after the retirement of Councillors in an election year, and in March to May in other years;

• any five members can requisition an extraordinary meeting if the chair fails to do so;

• at least five clear days' notice must be given of meetings and a summons must be sent by post or left at the usual place of residence of every member;

• unless otherwise specified, the quorum for a meeting is one quarter of the membership;

• decisions are to be made by simple majority voting, with a casting vote to the chair;

• the names of members at a meeting must be recorded; and

• minutes must be signed at the next suitable meeting.

Access to Information Procedure Rules

1. SCOPE

These rules apply to all meetings of the Council, its Committees and Sub-Committees, the Health & Wellbeing Board, the Standards Committee and Appeals Panels (together called meetings).

2. ADDITIONAL RIGHTS TO INFORMATION

These rules do not affect any more specific rights to information contained elsewhere in this Constitution or the law.

3. RIGHTS TO ATTEND MEETINGS

Members of the public may attend all meetings subject only to the exceptions in these rules.

4. NOTICES OF MEETING

The Council will give at least five clear days' notice of any meeting by posting details of the meeting at the Civic Offices.

5. ACCESS TO AGENDA AND REPORTS BEFORE THE MEETING

The Council will make copies of the agenda and reports open to the public available for inspection at least five clear working days before the meeting. If an item is added to the agenda later, the revised agenda will be open to inspection from the time the item is added to the agenda.

6. SUPPLY OF COPIES

The Council will supply copies of:

(a) any agenda and reports which are open to public inspection;

(b) any further statements or particulars necessary to indicate the nature of the items in the agenda; and

(c) if the Director of Legal and Democratic Services (Monitoring Officer) thinks fit, any other documents supplied to Councillors in connection with an item to any person on payment of a charge for postage and any other costs.

7. ACCESS TO MINUTES ETC AFTER THE MEETING

The Council will make available copies of the following for six years after a meeting:

(a) the minutes of the meeting or records of decisions taken, together with reasons, for all meetings, excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information;

(b) a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;

(c) the agenda for the meeting; and

(d) reports relating to items when the meeting was open to the public.

8. BACKGROUND PAPERS

8.1 List of background papers

The author of the report will set out in every report a list of those documents (called background papers) relating to the subject matter of the report which in his/her opinion:

(a) disclose any facts or matters on which the report or an important part of the report is based; and

(b) have been relied on to a material extent in preparing the report but do not include published works or those which disclose exempt or confidential information (as defined in Rule 10), and the advice of a political adviser where such officers are appointed.

8.2 Public inspection of background papers

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

9. SUMMARY OF PUBLIC'S RIGHTS

A written summary of the public's rights to attend meetings and to inspect and copy documents must be kept at and available to the public at the Civic Offices. These rules constitute that summary.

9.1 General

The Local Government Access to Information Act 1985, provides for greater public access to meetings of the Council, its Committees and Sub-Committees, to reports and associated documents and to minutes. It places a duty on local authorities to publish certain information about its Members and the constitution of its Committees and Sub-Committees.

The main provisions of the Act require that, subject to certain exceptions, all meetings of the Council, etc, shall be open to the public, and not less than five clear days public notice of the time and place of meetings shall be given and that copies of any reports shall be available for inspection during that period of notice.

9.2 Members' Rights of Inspection

The Act also provides that *'any document which is in the possession or under the control of the Council and contains materials relating to any business to be transacted at a meeting of the Council shall be open to inspection by any Member of the Council'*. This right also applies to meetings of Committees and Sub-Committees. However, the Director of Legal and Democratic Services may decline to make documents available for inspection where they contain certain types of information described in the Act.

Requests to inspect documents should be addressed to the Director of Legal and Democratic Services.

9.3 Inspection of Documents after Meetings

The Act provides that Minutes of meetings (insofar as they do not disclose exempt information), agendas and any reports dealt with whilst a meeting was open to the public shall be available for inspection by members of the public for a period of six years.

Furthermore, in respect of such reports a list of 'background papers' has to be compiled and copies of the list and the papers included in the list must be open to inspection for a period of four years.

'Background papers' are documents which were relied upon to a material extent in compiling the report, excluding published works.

9.4 Information to be published by the Council

Every local authority has to maintain:

1. a register of the names and addresses of every member of the Council and the Ward they represent;

2. the name and address of every Member of each Committee or Sub-Committee of the Council;

3. a list of delegations to each Committee and to each officer of the Council [this is published in Part 3 of the Constitution];

4. a summary of the rights of people to attend meetings of the Council, etc, and to inspect and copy documents;

5. the Members' Allowances Scheme adopted by the Council and the details of payments made under the scheme.

These Registers are open to inspection by the public through their publication on the Council's website.

10. EXCLUSION OF ACCESS BY THE PUBLIC TO MEETINGS

10.1 Confidential information – requirement to exclude public

Confidential information is either information given to the Council by a Government Department upon terms which forbid the disclosure of the information to the public, or information whose disclosure to the public is prohibited by or under any enactment or by an order of a court. In this case the press and public *must* be excluded from the meeting.

10.2 Exempt information – discretion to exclude public

The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed.

Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

When the public are to be excluded from a meeting, a motion similar to the following will be moved by the Chair:

> "That, pursuant to Section 100A of the Local Government Act 1972 (as amended) members of the press and public be excluded during consideration of the following Item/s on the agenda, as it is likely that there will be disclosure of exempt information as defined in the relevant Paragraphs of Part 1 of Schedule 12A (as amended) to that Act."

10.3 Meaning of exempt information

Exempt information means information falling within the following 7 categories (subject to any condition):

Category	Condition
1) Information relating to any individual	
2) Information that is likely to reveal the identity of an individual	
3) Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Not exempt if required to be registered under: • Companies Act 1985 • Friendly Societies Acts 1974 and 1992 • Industrial & Provident Societies Acts 1965 to 1978 • Building Societies Act 1986 * • Charities Act 1993 Relates to past, current or contemplated activities * in relation to the Building Societies Act 1986, "registered" means recorded in the public file of any building society (within the meaning of that act)

Category	Condition
4) Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority	Employee means a person employed under a contract of service Labour relations matter means: • Any matters specified in paras. (a)-(g) of S218(1) of the Trade Union and Labour Relations (Consolidations) Act 1992 (matters which may be the subject of a trade dispute) • Any dispute about a matter falling within (a) above Office holder means the holder of any paid office appointments to which are or may be made or confirmed by the authority or by any joint board on which the authority is represented or by any person who holds any such office or is an employee of the authority
5) Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings	
6) Information which reveals the authority proposes: a. To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or b. To make an order or direction under any enactment	
7) Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime	

Information falling within any of paragraphs 1-7 is not exempt by virtue of that paragraph if it relates to proposed development for which the local planning authority can grant itself planning permission under Regulation 3 of the Town and Country Planning General Regulations 1992.

Information falling within any of paragraphs 1-7 above, and which is not prevented from being exempt by virtue of the conditions above, is exempt information if and so long as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing it (the public interest test).

11. EXCLUSION OF ACCESS BY THE PUBLIC TO REPORTS

If the proper officer thinks fit, the Council may exclude access by the public to reports which in his or her opinion relate to items during which, in accordance with Rule 10, the meeting is likely not to be open to the public. Such reports will be marked “Not for publication” together with the category of information likely to be disclosed.

12. ADDITIONAL RIGHTS OF ACCESS FOR MEMBERS

12.1 Material relating to previous business

All Members will be entitled to inspect any document which is in the possession or under the control of the Council or its Committees and contains material relating to any business previously transacted at a private meeting unless either (a) or (b) below applies.

(a) it contains exempt information falling within paragraphs 1, 2, 4, 6 or 7 of the categories of exempt information (subject to the identity of a protected informant not being disclosed); or

(b) it contains the advice of a political adviser.

12.2 Nature of rights

These rights of a Member are additional to any other right s/he may have.

13. OVERVIEW AND SCRUTINY ACCESS TO DOCUMENTS

13.1 Rights to copies

Subject to Rule 13.2 below, where a Committee resolves to carry out an overview or scrutiny exercise and sets up a task-and-finish group to do so, the Committee and task-and-finish group will be entitled to copies of any document which is in the possession or control of the Council or its Committees and which contains material relating to:

(a) any business transacted at a public or private meeting of the Council or its Committees; or

(b) any decision taken by an individual officer under delegated authority.

13.2 Limit on rights

A Committee or task-and-finish group, when undertaking an overview or scrutiny exercise, will not be entitled to:

(a) any document that is in draft form;

(b) any part of a document that contains exempt or confidential information, unless that information is relevant to an action or decision they are reviewing or scrutinising or intend to scrutinise; or

(c) the advice of a political adviser.

Budget and Policy Framework Procedure Rules

Adopted by Council 14 October 2025

1. THE FRAMEWORK FOR DECISIONS

1.1 Council is responsible for the adoption of the authority's budget framework, and for adopting the policy framework, comprised of the policies, plans and strategies set out in Part 3 of the Constitution.

1.2 Other policies, plans and strategies, and any successor documents may be adopted, approved, amended, modified, varied or revoked by the Committee to which the subject function has been delegated, or by the Policy Committee.

1.3 Once the budget, or a policy, plan or strategy is in place, it is the responsibility of the appropriate Committee to implement it and operate within it.

2. PROCESS FOR DEVELOPING THE BUDGET AND POLICY FRAMEWORK

2.1 When developing the initial proposals for the adoption of any budget or policy, plan or strategy within the policy framework, the Council will consider whether to undertake public consultation. Details of the consultation will be published online, usually through the Council's consultation platform. The lead officer will ensure that all Members are notified of the consultation.

2.2 At the end of the consultation period, the Committee will then draw up draft proposals for submission to Council, showing due consideration to the responses of consultees and the Committee's response. Once the Committee has approved the draft proposals, they will be referred at the earliest opportunity to Council for decision.

2.3 Council will consider the proposals and may adopt them, amend them, substitute alternative proposals in their place or refer them back to the Committee that submitted them for further consideration. Any amendment to the proposed budget must be submitted for certification by the Chief Financial Officer at least 5 working days prior to the relevant Council meeting as being reasonably calculated and sufficiently deliverable as to be robust and sustainable in the medium term.

2.4 If Council accepts the Committee's proposals with or without amendment the decision shall be effective immediately.

2.5 If Council rejects the Committee's proposals, a summary of Council's objections will be provided to the Committee, and they will be required to reconsider the proposals.

2.6 The Committee will have 5 clear working days from receipt of the notification to submit revised proposals or inform Council of their disagreement with the objections and resubmit the previous proposals. This must be accompanied by a written notice, stating the reasons for the revised proposals and/or the disagreement. Where such notice is received, a further meeting of Council to reconsider its decision will be convened.

2.7 The Council meeting must take place within 10 working days of the receipt of the Committee's written notice unless the Head of Paid Service and Monitoring Officer agree that the matter can wait until the next programmed Council meeting. Where the proposal is required by law to be formally agreed by a certain date, the Council meeting must take place prior to this deadline. At that Council meeting the decision of Council shall be reconsidered in the light of any revised proposals and/or the Committee's disagreement and the reasons behind them, which shall be available in writing to Council.

2.8 Council shall at that meeting make its final decision on the matter on the basis of a simple majority. The decision shall be made public and shall be implemented immediately.

3. DECISIONS OUTSIDE THE BUDGET OR POLICY FRAMEWORK

3.1 Subject to the provisions of paragraph 5 (Virement), Committees, Sub-Committees, officers, or joint arrangements discharging delegated functions may only take decisions which are in line with the Council's budget and policy framework. If any of these bodies or persons wishes to make a decision which is contrary to the policy framework, or contrary to or not wholly in accordance with the budget approved by Council, then that decision may only be taken by Council, subject to paragraph 4 (urgent decisions outside the budget framework) below.

3.2 In the following circumstances, advice should be taken from the Head of Paid Service, the Monitoring Officer, and the Chief Financial Officer:

(a) A Committee, Sub-Committee, officer, or joint arrangement discharging delegated functions wants to take a decision they think may be outside of the budget or policy framework; or

(b) Three or more Members submit a question to the Monitoring Officer, in writing, suggesting that a decision to be taken by a Committee, Sub-Committee, officer, or joint arrangement discharging delegated functions may be contrary to the budget or policy framework.

3.3 If the advice of any of those officers is that the decision would be contrary to, or not wholly in accordance with, the existing budget or policy framework, then this advice should be set out in writing and the decision must be referred by that body or person to Council for consideration and decision, unless the decision is a matter of urgency, in which case the provisions in paragraph 4 shall apply.

4. URGENT DECISIONS OUTSIDE THE BUDGET OR POLICY FRAMEWORK

4.1 The Policy Committee may take a decision which is contrary to the policy framework or contrary to or not wholly in accordance with the budget approved by Council if the decision is a matter of urgency, under the urgency provisions set out in Article 7.7. However, the decision may only be taken:

(a) If it is not practical to convene a quorate meeting of Council; and

(b) If the chair of the Policy Committee agrees that the decision is a matter of urgency.

4.2 The reasons why it is not practical to convene a quorate meeting of Council, and the Chair of the Policy Committee's consent to the decision being taken as a matter of urgency, must be noted on the record of the decision. In the absence of the Chair, the consent of the Vice-Chair, will be sufficient.

4.3 Following the decision, the Head of Paid Service on behalf of the Policy Committee, will provide a report to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

5. VIREMENT

5.1 Arrangements for budget virement will be in accordance with the provisions of the Council's Financial Regulations as set out in Part 4 of the Constitution.

6. IN-YEAR CHANGES TO THE POLICY FRAMEWORK

6.1 No changes may be made to any plan, policy or strategy which makes up the Policy Framework, as set out in Part 3 of the Constitution, within the statutory or regulatory timetable for consulting on and adopting or updating such documents, except where the change:

(a) Will result in the closure or discontinuance of a service or part of service to meet a budgetary constraint;

(b) Is necessary to ensure compliance with the law, ministerial direction or government guidance; or

(c) The existing policy document is silent on the matter under consideration.

Overview and Scrutiny Procedure Rules

1. Overview & Scrutiny Statutory Functions

1.1 Under the provisions of Paragraph 9JA of Schedule 2 to the Localism Act 2011, the Council, having adopted a committee system form of governance, has resolved not to appoint any separate overview and scrutiny committee(s). Therefore the call-in function has ended.

1.2 The statutory overview and scrutiny functions of the authority will be exercised by each Committee with regard to the services, functions and partnerships covered by the Committee; and by the Policy Committee in respect of overview or scrutiny across Council services covered by more than one Committee.

1.3 The statutory external scrutiny functions of the authority to be exercised by the relevant service committees, are as follows:

a) Health: Adult Social Care, Children's Services & Education
b) Crime and Disorder: Housing, Neighbourhoods & Leisure
c) Flood risk management : Strategic Environment, Planning & Transport

1.4 The Council's overview and scrutiny procedure rules, and Standing Order 25, will continue to apply when committees specify that they are undertaking their overview and scrutiny function; and the facility for each committee to set up and appoint task-and-finish groups will be retained, as set out in Part 4 of the constitution.

2. Overview & Scrutiny Roles of Committees

2.1 Within their terms of reference, Committees may carry out overview or scrutiny exercises including:

1) Policy Development and Review:

- To assist the Council in the development of its budget framework and policies by in-depth analysis of policy issues;
- To conduct research, community and other consultation in the analysis of policy issues and possible options;
- To consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
- To question Lead Councillors and/or Directors and Heads of service about their views on issues and proposals affecting the area;
- To liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.

2) Performance Monitoring:

- To review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- To question Lead Councillors and/or chief officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects.

3) External Scrutiny:

- To review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Committee and local people about their activities and performance;
- To question representatives of Health bodies about their views on issues and proposals affecting their areas, review and scrutinise matters relating to the health service in the authority's area and make reports and recommendations on these matters to local NHS bodies. Any member or employee of a relevant NHS body or a relevant health service provider may also be required to

attend to answer questions, as provided for by the National Health service act 2006 (as amended by Section 190 of the Health & Social Care Act 2012)

- To question partners in the Community Safety Partnership on issues and proposals affecting crime and disorder, as provided for by the Crime and Disorder (Overview and Scrutiny) Regulations 2009.
- To review and scrutinise the exercise of flood risk management functions by the lead local authority under Section 9FH of the Local Government Act 2000(as amended by Schedule 2 to the Localism Act 2011).

4) Holding to Account:

- To scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions covered by the Committee. As well as reviewing documentation, in fulfilling the scrutiny role, a Committee may require any Lead Councillor and/or any senior officer to attend before it to explain in relation to matters within their remit:

  i) any particular decision or series of decisions;
  ii) the extent to which the actions taken implement Council policy; and/or
  iii) their performance (subject to the provisions of Standing Orders);

2.2 As set out in Paragraph 5 of the Member/Officer protocol, in Part 5 of this Constitution:

(1) Lead Councillors and officers must attend such scrutiny exercises if requested, unless exceptional circumstances prevent this, in which case arrangements for an alternative date will be made in consultation with the Lead Councillor and Chair of the Panel. They are also required to answer all questions asked of them, unless they would otherwise have grounds for not answering the question if it were put to them in a court of law.

(2) Officers who are not Corporate Directors or Heads of Service and who are requested to attend to give evidence at a scrutiny exercise can, at the officers' request, be accompanied by a senior manager or a Trades Union representative. This request cannot be reasonably denied by the Committee or task-and-finish group.

(3) Councillors and officers may not be accompanied by an external legal representative without the specific approval of the Monitoring Officer.

3. Overview & Scrutiny Exercises

3.1 Where Committees agree to carry out an overview & scrutiny exercise they will determine the appropriate form of scrutiny to be used, to include:

- Hands-on task-and-finish groups
- One-off evidence-taking sessions
- Commissioning officer reports reviewing service areas
- Discursive meetings on set topics, as training or learning sessions

3.2 When carrying out an Overview & Scrutiny exercise a Committee or task-and-finish group may hold enquiries and investigate the available options for future direction in policy development and may appoint advisers and assessors to assist them in this process. They may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations. They may ask witnesses to attend to address them on any matter under consideration and may pay to any advisers, assessors and witnesses a reasonable fee and expenses for doing so.

4. Task and Finish Groups

4.1 Where appropriate, the Committees may set up and appoint task-orientated, time-limited task-and-finish groups to undertake an overview & scrutiny exercise and report back to the appointing Committee. The Committee will:

- determine the specification or terms of reference for the group's scrutiny exercise – in general terms the groups will be charged with carrying out an in-depth investigation into a specific service area or policy or any issue of genuine importance to the town
- appoint Councillors to the task-and-finish group on the following basis:
    - the group to be small, and focused on outcomes
    - at least two political groups on the Council to be represented on the group
    - to include at least one Member of the appointing Committee, to be appointed to chair the group
    - other Councillor members to be agreed in consultation with Group Leaders, and need not be members of the Committee

4.2 These task-and-finish groups are not established as Sub-Committees under the Local Government Act 1972, and Committees will not be expected to make the appointments in accordance with the proportionality rules set out in Sections 15-17 of the Local Government & Housing Act 1989.

5. Rights of Overview and Scrutiny Members to Documents

5.1 In addition to their rights as Councillors, Committee or task-and-finish group members carrying out Overview and Scrutiny have the additional right to documents, and to notice of meetings as set out in Paragraph 15 of the Access to Information Procedure Rules in Part 4 of this Constitution.

6. Evidence Gathering for Overview and Scrutiny

6.1 Where a Committee or task-and-finish group conducts an Overview & Scrutiny exercise, they may also ask community and voluntary sector organisations, users of services and others to attend to give evidence at meetings, which are to be conducted in accordance with the following principles:

i) that the investigation be conducted fairly and all members of the committee or group be given the opportunity to ask questions of attendees, and to contribute and speak;

ii) that those assisting the committee or group by giving evidence be treated with respect and courtesy; and

iii) that the investigation be conducted so as to maximise the efficiency of the investigation or analysis.

7. Overview & Scrutiny Reports

7.1 Once it has completed any investigation or review and formed any recommendations, a Committee or its task-and-finish group will prepare a formal report and submit it to the Head of Paid Service for consideration by the relevant Committee (if the proposals are consistent with the existing budgetary framework), or by the Council or Policy Committee as appropriate (eg if the recommendation would require a departure from or a change to the agreed budget or policy framework).

7.2 If a task and finish group cannot agree on one single final report to the Committee or Council as appropriate, then up to one minority report may be prepared and submitted for consideration with the majority report.

7.3 The Committee or Council shall normally consider a report at the next available meeting. Following any investigation or review, the committee shall make its report and findings public.

Financial Regulations

Adopted by Council 14 October 2025

Date Published	October 2025
Approved by	Council
Author	Director of Finance
Service	Finance
Directorate	Directorate of Resources

Section 1 - Introduction

1.1 Context

These Financial Regulations set out the financial policies and procedures and the framework for managing the Council's financial affairs. Robust financial management is at the heart of Reading Borough Council's ability to achieve its objectives and to deliver high quality services to its local community. Effective management of council finances is critical to the long-term delivery of services to the people of Reading.

These Financial Regulations apply to all financial activities of Reading Borough Council including the General Fund and Housing Revenue Account, unless otherwise stated.

The Best Value Duty as set out in the Local Government Act 1999, requires local authorities and other public bodies to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness". In practice, this covers issues such as how authorities exercise their functions to deliver a balanced budget, provide statutory services, including adult social care and children's services, and secure value for money in all spending decisions.

These Financial Regulations are structured around the following themes:

(i) Financial planning (see Section 2)
(ii) Financial management (see Section 3)
(iii) Accounting records and financial systems (see Section 4)
(iv) Risk management and internal control (see Section 5)
(v) Assets (see Section 6)
(vi) Income and expenditure (see Section 7)
(vii) External arrangements (see Section 8)

1.2 The Principles of Good Financial Management

These Financial Regulations are based on the following principles of good financial management:

1. All officers and members of Reading Borough Council have a role to play in managing our finances, delivering value for money and demonstrating the highest standards of probity in the use of public money.
2. Budget responsibility is allocated by Reading Borough Council to specific, named individuals who are accountable for the effective financial management of their services within the budgets that have been allocated to them.
3. The annual budget process is driven by a medium-term financial strategy that assesses risk and is built on a detailed understanding of income and expenditure across the period of that Plan.
4. The Council's core financial systems hold high quality, comprehensive, up to date and reliable financial information.
5. Financial monitoring reports are presented regularly through Corporate Management

Team and Policy Committee using consistent, meaningful and understandable data, with appropriate action being taken.

6. Any report for decision presented to committee, must have the financial implications specified and have been approved in advance by the Chief Finance Officer.
7. Effective internal financial controls are in place and must be adhered to at all times.

It is not possible for these Financial Regulations to anticipate all eventualities. Consequently, if any doubt arises as to whether or how these Regulations should be applied, reference should be made to these principles of good financial management, to establish whether any proposed financial undertaking is within the spirit of these Regulations.

A financial undertaking that conflicts with one or more of these principles will not be acceptable practice even if it is not ruled out explicitly by these Regulations.

1.3 Financial Roles and Responsibilities

The specific financial roles and responsibilities of Officers, Councillors, Council and Committees are set out in these Regulations. Further information about these responsibilities can be found elsewhere in the Constitution as follows:

- Council (Article 4)
- Councillors (Article 6 - The Leadership and Part 3 - Responsibility for Functions - Lead Councillor Portfolios)
- Policy Committee (Article 7 - Committees)
- Audit & Governance Committee (Article 8 - Regulatory & Other Committees)
- Officers (Article 12)

1.4 Compliance

All financial and accounting procedures must be carried out in accordance with the Financial Regulations and with any accounting instruction notes and other corporate guidance issued by, or on behalf of, the Chief Finance Officer.

Executive Directors/Directors will ensure that their staff are aware of the existence, and content, of the Council's Financial Regulations, accounting instruction notes and other corporate guidance and ensure compliance with them. Executive Directors/Directors may delegate responsibilities contained in these Regulations to named budget holders, as appropriate, in consultation with the Chief Finance Officer.

Non-compliance with these Financial Regulations, and with any accounting instruction notes and other corporate guidance issued by the Chief Finance Officer, may constitute a disciplinary matter that will be pursued, as appropriate, in accordance with the Council's disciplinary procedure.

Section 2 - Financial Planning

2.1 Budget Framework

Council is responsible for agreeing the Authority's budget framework (revenue and capital), for the General Fund (GF) and the Housing Revenue Account (HRA), which will be proposed to it by the Policy Committee. In terms of financial planning, the key elements are:

(i) The Annual Revenue Budget (GF & HRA), Medium-Term Financial Strategy and HRA 30 Year Business Plan
(ii) The Annual Council Tax Setting Report
(iii) The Capital Strategy
(iv) The Treasury Management Strategy Statement

2.2 The Annual Revenue Budget

2.2.1 Revenue Income and Expenditure

Revenue income and expenditure represents the current or day-to-day running costs, and associated receipts, of the Council, including employment costs, premises costs, transport costs, contract costs and general running costs as well as income raised by charging service users and government grants.

2.2.2 Revenue Budget

The annual budget is a plan that forecasts income and expenditure for the following year and is the financial expression of the Council's policies and priorities for that year.

Councils are required to set their annual budget before 11 March in the financial year preceding the one in respect of which the budget relates. In setting the annual budget, Council must take account of a report by the Chief Finance Officer on the following matters:

- The robustness of the estimates made for the purposes of the calculations, and
- The adequacy of the proposed financial reserves.

Stakeholder consultation can help to set priorities and reduce the possibility of legal or political challenge during the process.

2.2.3 Budget Preparation

The Chief Finance Officer is responsible for ensuring that a revenue budget is prepared on an annual basis and includes a three-year Medium-Term Financial Strategy for consideration by the Policy Committee, before submission to Council. Council may amend the budget or ask the Policy Committee to reconsider it before approving it.

The Chief Finance Officer, through the Policy Committee, is responsible for issuing budget guidelines on the general development of the budget each year. This will include an evidence-based assessment of the likely level of resources available to the Council in order to establish an overall budget envelope for the net cost of Council services that are affordable.

It is the responsibility of Executive Directors/Directors, in conjunction with the Chief Finance Officer, to ensure that budget estimates reflecting agreed corporate and service priorities are submitted to the Policy Committee and that these estimates are prepared in line with guidance issued by the Chief Finance Officer. These Plans will need to adequately reflect the impact of any inflationary and/or demographic pressures. Budget proposals will need to fit within the available resources. Any changes to the nature or levels of service provided must be supported by a business case which fully explains both the service and financial impact.

2.2.4 Format of the Budget

The format of the budget presented to Policy Committee and Council for approval, will be set out by the Chief Finance Officer each year. The budget will be prepared and presented on an incremental basis. The budget will reflect the service structure operated by the Council at its time of preparation.

2.2.5 Budget Monitoring and Control

The Chief Finance Officer is responsible for providing appropriate financial information to budget holders to enable budgets to be monitored effectively. Budget holders must monitor and control expenditure against budget allocations. The Chief Finance Officer will report to the Policy Committee on the overall position on a regular basis.

It is the responsibility of Executive Directors/Directors to control income and expenditure within their area and to monitor performance, taking account of financial information provided by the Chief Finance Officer. They must submit monthly monitoring reports to the Chief Finance Officer on existing and expected variances within their own areas. They must

also take any action necessary to avoid exceeding their overall budget allocation and alert the Chief Finance Officer to any issues. These responsibilities may be formally delegated to Budget Holders through the scheme of delegation.

2.2.6 Maintenance of Reserves

Reserves are created as a means of building up funds to meet potential future liabilities. They are held for a number of reasons, including:

- A working balance to act as a final contingency for unanticipated fluctuations in spending and income.
- Earmarked reserves to cover specific areas of risk.

Councils are required to maintain a minimum level of reserves and balances, although legislation does not define how much this minimum level should be.

As part of the Annual Budget Setting Report to Policy Committee and Council, the Chief Finance Officer is required to give advice on the minimum level of working balance to be held by the Council throughout the forthcoming year.

In setting the Budget, Council must have regard to the advice given by the Chief Finance Officer, with the reasons for any variance from the advice given being recorded in the minutes of the Council Meeting.

The Chief Finance Officer is responsible for:

(a) Creating, managing, and making additions to, or making use of, Reserves in accordance with the following objectives:

  - Optimising the Council's overall financial position by creating a degree of financial flexibility over the year or between years.
  - Maintaining contingencies against unbudgeted expenditure or unexpected events.
  - Enabling funding of known or predicted liabilities falling in the year or future years.

(b) Approving any proposals for creating and using provisions or reserves.

(c) Reporting on the adequacy of provisions and reserves when the Budget is presented to Council for approval.

2.3 Capital Financial Planning

2.3.1 Capital Expenditure

Expenditure is classified as capital expenditure when any of the following apply:

- The expenditure results in the acquisition, construction or the enhancement of non-current (i.e. fixed) assets, tangible and intangible, where the asset is expected to be used during more than one financial year.
- The expenditure results in the acquisition, construction or the enhancement of a fixed asset, in which the local authority has no future direct control or benefit from the resultant asset, which would be capital expenditure if the local authority had an interest in that fixed asset. (Revenue expenditure funded by capital under statute).
- The Secretary of State makes a direction that the expenditure can be treated as capital expenditure instead of revenue. These directions are only issued in exceptional circumstances.

2.3.2 Capital Programme

The Chief Finance Officer is responsible for ensuring that a Capital Programme is prepared on an annual basis for consideration by the Policy Committee before submission to the Council.

Capital bids for new or amended schemes are submitted as part of the Council's annual budget review process. Business cases are quality assured by the Capital Programme Board prior to being recommended to members for inclusion in the Draft Capital Programme.

The overall affordability of the Draft Capital Programme is reported on by the Chief Finance Officer as part of the Council's budget setting process. The final Capital Programme is agreed by Council when setting its budget in February.

All schemes included in the approved Capital Programme over £2.5m require spend approval from the responsible Committee or the Council, with the exception of expenditure on rolling programmes of routine capital expenditure. All schemes included in the Capital Programme require confirmation from the Chief Finance Officer that the associated funding has been identified.

Schemes that arise during the year will be added to the agreed Programme once the relevant approvals have been obtained from Policy Committee or Council, in consultation with the Chief Finance Officer and Monitoring Officer.

Budget holders and capital project managers are required to provide financial forecasts to the Chief Finance Officer for inclusion in the financial monitoring reports to the Policy Committee.

2.3.3 Financing of Capital Expenditure

The Chief Finance Officer will determine the financing of the capital programme, taking into consideration the availability of capital receipts, grants and contributions, direct revenue contributions and the affordability of borrowing.

2.4 Leasing and Rental Arrangements

Leases of land or buildings (where the Council acts as a lessor or lessee) and other property agreements can only be authorised for completion by the Monitoring Officer and Director of Property and Asset Management, acting on the Council's behalf. The relevant Finance support will be consulted as part of this process. Other leasing arrangements, including rental agreements and hire purchase arrangements, will only be entered into with prior approval from the Chief Finance Officer.

Prior approval to enter into leases is required to ensure that:

- Leases that constitute credit arrangements are taken into account when the Council determines its borrowing limits;
- Such arrangements represent value for money and are accounted for appropriately.

2.5 Treasury Management Strategy Statement

The Chief Finance Officer will propose an annual Treasury Management Strategy Statement, including the Minimum Revenue Provision (MRP) Policy, the Borrowing Strategy and the Treasury Investment Strategy to Council in February for the forthcoming financial year. This Strategy will comply with CIPFA's Codes of Practice on Treasury Management and the Prudential Framework for Capital Finance, relevant Regulations and with the Council's own treasury management practices; it will set the parameters within which investment and borrowing activity will be managed during the forthcoming financial year.

2.6 Capital Strategy

CIPFA's Prudential Code for Capital Finance in Local Authorities requires each Local Authority to produce a Capital Strategy on an annual basis. This Strategy defines how the Council will maximise the impact of its limited capital resources to support the delivery of its key aims and objectives. As well as meeting the requirements of the Prudential Code the Strategy also has regard to statutory guidance on Local Government Investments and Minimum Revenue Provision. The Strategy is submitted to Council in February each year for the forthcoming financial year.

2.7 Medium-Term Financial Strategy (MTFS)

The MTFS brings together the key assumptions about financing resources, including council tax, business rates and core Central Government grants, and spending pressures over the medium to longer term. This enables the Council to plan for financial risks and thus inform the setting of service revenue budgets and capital payments. The Chief Finance Officer will ensure that reports are presented to Council, as part of the annual budget setting, upon the medium-term budget prospects and the resource constraints set by the Government.

Section 3 - Financial Management

3.1 Introduction

Financial management is the system by which the financial aspects of Reading Borough Council's business, including the Housing Revenue Account, are directed and controlled to support the delivery of our corporate priorities.

3.2 Revenue Budget Monitoring and Control

3.2.1 Budget Management

The Council operates within an annual budget limit, approved when the annual budget is set. To ensure that the Council does not overspend in total, each service is required to manage its own expenditure and income recovery within the budget allocated to it.

3.2.2 Framework for Budgetary Control

Once the budget is approved by the Council, Executive Directors/Directors are authorised to incur expenditure in accordance with the estimates that make up their budgets. Executive Directors/Directors must however maintain effective budgetary control within their service(s) to ensure that spending is contained within the annual budget limit and focussed on agreed priority areas.

The Chief Finance Officer is responsible for:

(a) Notifying members of the Senior Leadership Group of the budgets allocated to them by Council prior to the start of each financial year.
(b) Giving Budget Holders access to timely information on income and expenditure which is sufficiently detailed to enable them to fulfil their budgetary responsibilities.
(c) Ensuring that Budget Holders have access to high quality financial advice.
(d) Presenting detailed financial reports to Policy Committee and the Corporate Management Team on a regular basis.
(e) Ensuring that relevant guidance and training is available to all staff assigned responsibility for budget management.

Executive Directors/Directors have overall responsibility for:

(a) Maintaining, in consultation with the Chief Finance Officer a scheme of delegation ensuring that an appropriate budget holder structure is in place to ensure that responsibility is assigned for each item of income and expenditure under their control.

(b) Making effective arrangements for the financial management of the services under their control.
(c) Ensuring that all income and expenditure is properly recorded and accounted for.
(d) Ensuring that individual budgets approved by Council are not over-spent.
(e) Reporting to the Chief Finance Officer if any budgets under their control are forecast to be over-spent, and providing mitigation plans to reduce the forecast over-spend.
(f) Providing regular financial briefings for relevant Lead Councillors.
(g) Ensuring that new service delivery proposals are approved in accordance with the Council's Constitution.
(h) Agreeing with the other relevant Executive Directors/Directors where a budget proposal may impact on their service area.

3.2.3 Scheme of Virement - Revenue

In-year budget movements made outside of the annual budget setting process fall under two categories: budget adjustments and budget virements. These budget movements may be made on a temporary basis, which only affects the budgets within a specified period, or made on a permanent basis, which affects the budgets within the current financial year and all future financial years. All virements will be quality assured by Finance.

Budget Adjustments

Budget adjustments are defined as one of the following:

- A budget movement required in order to better reflect in budget terms a decision made through the Policy Framework, agreed in accordance with the Council's Constitution.
- A budget movement over which the Council has no control, such as where statutorily or through the requirements of government grant conditions, the Council is obliged to make a budget adjustment.
- A budget movement required to correct an error, such as where the budget showing in the financial management system does not match the budget agreed by Council.
- A budget movement required to reflect an allocation from contingencies held corporately.
- A budget movement to reflect proper accounting practices.

A budget adjustment can be implemented by the Chief Finance Officer without need for further approval.

Budget Virements

Virements are a movement of budget either within or between budget headings. A budget heading relates to an agreed division of a service, such as an activity, project, branch of operations or subjective category.

Virements may be necessary under a number of circumstances, for instance:

- Where the organisation or management of services has been restructured;
- Where income projections change, matched by changes in expenditure.

Budget virements should be made in line with the Council's Policy Framework. The approval of the Policy Committee may be required for any virement where the Chief Finance Officer has determined that a decision from the Policy Committee is required.

Budget virements within budget headings can be implemented by the budget holder without need for further approval. If a budget holder is unclear as to whether a virement crosses budget headings, advice should be taken from the Chief Finance Officer.

Budget virements relating to net increases or decreases to salaries or to gross income or expenditure require the additional approval of the Chief Finance Officer, regardless of the virement amount.

The following approvals are required in order for budget virements between budget headings to be implemented. The 'amount of virement' is the greatest requested total change within a budget heading. Budget virements relating to net increases or decreases to salaries or to gross income or expenditure always require the approval of the Chief Finance Officer, regardless of the virement amount:

Budget Virements Within a Cost Centre

Amount of Virement	Budget Holder	Director	Executive Director	Chief Finance Officer
Up to £100k	Approval Required			
Over £100k and up to £250k	Notified	Approval Required		
Over £250k and up to £500k	Notified	Approval Required	Approval Required	
Over £500k	Notified	Approval Required	Approval Required	Approval Required

Budget Virements Within a Service Area

Amount of Virement	Budget Holder(s)	Director	Executive Director	Chief Finance Officer
Up to £250k	Notified	Approval Required		
Over £250k and up to £500k	Notified	Approval Required	Approval Required	
Over £500k	Notified	Approval Required	Approval Required	Approval Required

Budget Virements Across a Service Area or Directorate

Amount of Virement	Budget Holder(s)	Director	Executive Director	Chief Finance Officer
Any Amount	Notified	Approval Required	Approval Required	Approval Required

3.2.4 Scheme of Virement – Capital

Requests for budget virements between approved capital schemes should be submitted to Policy Committee for approval. The funding of the budget must be considered as part of the request. The Chief Finance Officer must confirm a budget virement is affordable, if that virement would require a change in the funding source.

3.2.5 Capital Payments Monitoring and Control

The principles and framework for managing the revenue budget will apply equally with regard to the monitoring and management of individual capital projects within their scheme and spend approvals.

All schemes included in the approved Capital Programme over £2.5m, with the exception of expenditure on rolling programmes of routine capital works shall remain subject to spend approval by the responsible Committee or Council.

Schemes will usually only be added to or removed from the Capital Programme as part of the annual budget setting process. Outside of this process schemes may be removed from the Capital Programme, or budgets may be decreased with Policy Committee approval. Schemes that arise during the year may be added to the Capital Programme with Policy Committee approval if:

- The scheme is fully funded by grants or contributions, or
- The Chief Finance Officer confirms that the expenditure is affordable.

The Chief Finance Officer will report any anticipated budget variations to Policy Committee as part of the regular budget monitoring process.

Unlike revenue budgets capital budgets may be profiled over a number of financial years due to the length of time required to complete the capital project. Budget holders and capital project managers are responsible for providing reasonable estimates of profiling of capital budgets. The profiling of budgets should match the best estimates of when expenditure is expected to be incurred. Where schemes are expected to progress ahead or behind schedule a request to re-profile the budget should be submitted for Policy Committee approval.

3.2.6 Treatment of Year End Balances

Policy Committee may approve requests to carry forward budgets which are underspent at year end as part of the outturn reporting process, as recommended by the Chief Finance Officer.

Section 4 - Accounting Records and Financial Systems

4.1 Accounting Records

Accounting records are all the documents involved in preparing the financial statements of the Council. They include the original source documents, eg invoices and purchase orders, journal entries for virements and budget adjustments etc and ledgers that describe the accounting transactions of the council.

The Council has a statutory and legal responsibility to retain accounting records for a predetermined period, normally for six years.

Maintenance of proper accounting records is one of the ways in which the Council discharges its responsibility for stewardship of public resources.

The Council's accounting records are maintained within its General Ledger. A standard coding convention is maintained within the General Ledger. The integrity of the Council's financial reporting for management and statutory purposes is dependent upon transactions being coded correctly first time at source.

The Chief Finance Officer is responsible for:

(a) Determining the accounting procedures and records for the Council.
(b) The compilation of all accounts and accounting records.
(c) Keeping the accounts and financial records of the Council.

Executive Directors/Directors are responsible for:

(a) Ensuring that their services comply with the coding conventions adopted within the General Ledger. This includes adherence to the standard subjective classifications for categories of income and expenditure.
(b) Ensuring that all the Council's transactions, material commitments and contracts and other essential accounting information are recorded completely, accurately and on a timely basis.
(c) Retaining prime documents in accordance with legislative and other

requirements.

4.2 Annual Statement of Accounts

The Council has a statutory responsibility to prepare its accounts and present a true and fair view of the financial performance and results of its activities during the year. It is also responsible for approving and publishing those annual statements in accordance with the timetable specified in the Accounts and Audit Regulations.

The Chief Finance Officer is responsible for identifying suitable accounting policies, and for applying them consistently, to ensure that the Council's annual statement of accounts are prepared in compliance with the CIPFA Code of Practice on Local Authority Accounting in the United Kingdom and other relevant accounting standards and statutory provisions. In addition, the Chief Finance Officer will ensure that the Statement of Accounts is compiled, approved and published in accordance with the statutory timetable specified within the Accounts and Audit Regulations.

The Chief Finance Officer will issue annual instruction notes on the closure of the accounts, including a timetable. All members and officers of the Council must comply with these accounting instructions and supply the information requested by the dates specified to facilitate timely closure of the accounts.

The Chief Finance Officer must sign and date the Statement of Accounts, confirming that the accounts give a 'true and fair' view of the financial position of the Council at the accounting date and its income and expenditure for the year ended 31 March.

The Chief Finance Officer is responsible for making proper arrangements for the audit and public inspection of the Council's accounts.

4.3 Financial Systems

Financial Systems must be documented and regularly backed up; and disaster recovery and business continuity plans must be maintained to allow information system processing to resume quickly in the event of an interruption.

The Chief Finance Officer is responsible for:

(a) Approving the purchase, implementation and integration of accounting and other systems with a financial function.
(b) Ensuring that the Council's financial systems, including any financial elements of non-financial or integrated systems, are sound, properly maintained and reconciled and that they are held securely.
(c) Determining the accounting systems, form of accounts and supporting financial records of the Council.

Executive Directors/Directors are responsible for:

(a) Ensuring that prior approval is obtained from the Chief Finance Officer to introduce any financial system, including any elements of a non-financial or integrated system relied upon for financial reporting purposes, within or on behalf of their area of responsibility. Prior approval must also be obtained from the Chief Finance Officer to make changes to any such systems already being operated within a service area.

Section 5 - Risk Management and Internal Control

5.1 Risk Management

Risk management is an integral part of effective management and planning. It is concerned with identifying and managing key obstacles to the achievement of objectives.

The Executive Director of Resources is responsible for preparing the Council's Risk Management Strategy and advising on the management of strategic, financial, and operational risks.

The Audit & Governance Committee is responsible for reviewing the authority's risk management policy statement and approach and providing independent assurance to the Council on the effectiveness of risk management and internal control.

All Members and officers alike are required to assist in, and take responsibility for, identifying, and controlling risk and opportunities in all their activities and areas of responsibility.

Executive Directors/Directors are responsible for:

(a) Implementing the Council's risk management strategy.
(b) Integrating risk management within business planning and performance management arrangements.
(c) Mitigating, monitoring, and reporting on risks.
(d) Maintaining and testing business continuity plans.

5.2 Insurance

The Council protects itself against the financial implications of risk by either:

- Procuring insurance cover
- Setting aside funds in a self-insurance reserve

The Council operates an insurance programme that balances self-retained risk with external insurance policy cover, which is reviewed at each renewal. The insurance contracts have financial implications not only in the cost of the contract, but the level of self-retained risk exposure the Council wishes to accept.

The Council must comply with the "duty of fair presentation" contained in the Insurance Act 2015. The Council must disclose to its Insurers all information, facts and circumstances which are, or ought to be, known to it, which are material to the risk. A material circumstance is one which would influence the judgement of a prudent Underwriter in considering whether to provide insurance and, if so, on what basis and cost.

Insurance records relating to liability policies and related correspondence must be retained indefinitely. Documents relating to other policies and internal funding arrangements must be retained in accordance with the Council's Document Retention Schedule.

The Chief Finance Officer is responsible for:

(a) Determining the nature and level of insurance cover to be affected.
(b) Effecting insurance cover and processing and settlement of all claims.
(c) Undertaking a periodic general revaluation of Council buildings so that appropriate amendments to insurance cover can be arranged.
(d) Submitting and agreeing insurance claims with external insurers and agreeing amounts to be met from the Council's self-insurance reserve.
(e) Arranging for payment of premiums by the due date and managing the Council's self-insurance reserve. Procedures for dealing with claims on the Council's self-insurance reserve will be prescribed by the Chief Finance Officer.

Executive Directors/Directors are responsible for:

(a) Notifying the Insurance Manager immediately of any loss, liability or damage that may lead to a claim against the Council, together with any information or explanation required by the Chief Finance Officer or the Council's insurers.
(b) Notifying the Insurance Manager promptly of all new risks, properties or vehicles that require insurance and of any alterations affecting existing insurances.

(c) Consulting the Council's Insurance Manager on the terms of any indemnity that the Council is requested to give.
(d) Ensuring that employees, or anyone covered by the Council's insurances, do not admit liability, or make any offer to pay compensation that may prejudice the assessment of liability in respect of any insurance claim.
(e) Promptly informing the Chief Finance Officer of any changes in the fabric, use or contents of any assets which may affect its valuation for insurance purposes.
(f) Ensuring that any person who makes use of his / her own vehicle for Council business shall comply with the appropriate Council policies with regards to car users and any instructions relating to this policy.

5.3 Internal Control

Internal control refers to the systems of control that help ensure the authority's objectives are achieved in a manner that promotes economical, efficient and effective use of resources and that the authority's assets and interests are safeguarded and properly accounted for. These arrangements also need to ensure compliance with all applicable statutes and regulations, and other relevant statements of best practice.

The Chief Finance Officer is responsible for:

(a) Advising on effective systems of internal control to ensure that public funds are properly safeguarded and used economically, efficiently, and in accordance with statutory requirements and other guidance that govern their use.
(b) Conducting an annual review of the effectiveness of the system of internal control and publishing the results of this within the Council's Annual Governance Statement.

Executive Directors/Directors are responsible for:

(a) Taking corrective action in respect of any non-compliance by staff with relevant rules, regulations, procedures, and codes of conduct.
(b) Implementing effective systems of internal control ensuring adequate separation of duties, clear authorisation levels, and appropriate arrangements for supervision and performance monitoring.
(c) Planning, appraising, authorising, and controlling their operations in order to achieve continuous improvement in economy, efficiency and effectiveness and for achieving their objectives, and targets in accordance with the budgetary framework and Council Plan.
(d) Ensuring the systems and processes of the Council are working as expected and undertaking an appraisal for the Annual Governance Statement

All Members and Officers are responsible for complying with the controls set down in these Financial Regulations.

5.4 Preventing Fraud and Corruption

All members and officers of the Council will act with integrity and with due regard to matters of probity and propriety, and comply with all relevant rules, regulations, procedures, and codes of conduct, including those in relation to receipt of gifts and hospitality and declarations of conflicts of interest.

The Council will not tolerate fraud or corruption in the administration of its responsibilities, whether perpetrated by members, officers, customers of its services, third party organisations contracting with it, or other agencies or individuals with which it has any business dealings.

The Chief Finance Officer is responsible for:

(a) Developing and maintaining an Anti-fraud and Corruption Strategy that stipulates the arrangements to be followed for preventing, detecting, reporting and investigating suspected fraud and irregularity.

(b) Advising on the controls required for fraud prevention and detection.
(c) Appointing a Money Laundering Reporting Officer to ensure that systems are in place to counter opportunities for money laundering and that appropriate reports are made.

Executive Directors/Directors are responsible for:

(a) Ensuring that there are sound systems of internal control within their Services for fraud prevention and detection.
(b) Ensuring they follow all controls, policies and regulations to minimise fraud and taking all necessary action if fraud is suspected.

All Members and Officers are responsible for:

(a) Complying with the Council's Anti-fraud and Corruption Strategy.
(b) Implementing audit recommendations within agreed timescales.
(c) Reporting cases of suspected fraud or irregularity to the Chief Auditor for investigation and complying with the Council's Whistleblowing Policy.
(d) Reporting any vulnerabilities or suspicions of money laundering in accordance with guidance issued by the Money Laundering Reporting Officer.

5.5 Audit Requirements

5.5.1 External Audit

The External Auditor's duties include reviewing and reporting upon:

(i) The financial aspects of the Council's corporate governance arrangements.
(ii) The Council's financial statements: the external auditor must be satisfied that the Statement of Accounts give a 'true and fair view' of the financial position of the Council and its income and expenditure for the year in question and complies with legal requirements.

The Council's external auditor may also issue public interest reports, advisory notices and make recommendations under the Local Audit and Accountability Act.

The Council may, from time to time, also be subject to audit, inspection or investigation by external bodies such as HM Revenue and Customs, who have statutory rights of access.

The External Auditors and other statutory inspectors must be given reasonable access to premises, personnel, documents and assets that they consider necessary for the purposes of their work. Regard must be given to the Council's Data Protection Policy, and if there is any doubt about whether it is appropriate to provide such data to the External Auditor or other statutory inspectors, advice should be sought from the Data Protection Officer and the Monitoring Officer.

5.5.2 Internal Audit

The Accounts and Audit Regulations require the Council to maintain an effective internal audit function to evaluate the effectiveness of its risk management, control and governance processes, taking into account Public Sector Internal Audit Standard (PSIAS).

Internal Audit is an independent and objective appraisal function, established by the Council to evaluate and report on the adequacy of the Council's internal control systems in securing the proper, economic, efficient, and effective use of resources.

Internal Audit has the authority to:

(i) Access any Council premises, assets, records, documents and correspondence, and control systems.
(ii) Receive any information and explanation related to any matter under consideration.

(iii) Require any employee of the Council or school maintained by the Council to account for cash, stores or any other asset under their control.
(iv) Access records belonging to third parties (eg Contractors) when required.
(v) Talk directly to all Members and Officers of the Council and all members of Audit & Governance Committee.

5.5.3 Responsibilities with Respect to Internal and External Audit

The Chief Finance Officer is responsible for:

(a) Maintaining an adequate and effective Internal Audit service in accordance with the Accounts and Audit Regulations.
(b) Ensuring that the statutory requirements for external audit are complied with and that the External Auditor can effectively scrutinise the Council's records.
(c) Ensuring that audit plans and results are reported to the Audit & Governance Committee.

All Members and Officers are responsible for:

(a) Ensuring that Internal and External Auditors have access to all documents and records for the purposes of the audit and are afforded all facilities, cooperation and explanation deemed necessary.
(b) Cooperating in the production of annual audit plans by highlighting any areas of risk that may benefit from audit review.
(c) Implementing audit recommendations within agreed timescales.

Section 6 - Assets

6.1 Security of Assets

The Council holds assets in the form of property, land, vehicles, ICT and other equipment, furniture and data, these assets must be safeguarded and used efficiently in service delivery.

All Members and Officers have a responsibility for safeguarding the Council's assets and information, including safeguarding the security of the Council's computer systems and paper records, and for ensuring compliance with the Council's data protection and cyber security requirements, including the completion of mandatory training.

Executive Directors/Directors are responsible for:

(a) Ensuring the proper security and maintenance of all assets, including the recovery of assets from leavers.
(b) Ensuring that the title deeds for all Council properties are held by the appropriate service.
(c) Ensuring that no Council asset is subject to personal use by an employee without proper authority.
(d) Ensuring cash holdings on premises are kept in line with the limits set out in the Council's insurance policies.

The Director of Property and Asset Management is empowered to acquire or dispose of land up to the limits expressed in the Key Decision criteria, after which approval of the relevant Committee is required. No other Executive Director/Director may acquire or enter into or amend a licence or lease to occupy, any land or property, nor to dispose of any land or property owned by the Council, except in the day-to-day allocation and management of single Council dwellings under the Housing Revenue Account, which are the responsibility of the Executive Director for Communities and Adult Social Care. The Chief Finance Officer must be informed of any acquisitions or disposals of property.

6.2 Asset Registers

The Chief Finance Officer will maintain the corporate Fixed Assets Register. This register forms the basis of Balance Sheet reporting on all non-current assets held by the Council. Each Executive Director/Director will keep appropriate records of fixed assets under their control to support the corporate Fixed Assets Register.

This 'Assets Register' is maintained, in accordance with the requirements of the CIPFA Code of Practice on Local Authority Accounting in the UK and the underlying accounting standards, for all items capitalised, in accordance with the guidance issued by the Chief Finance Officer, that are expected to be used and/or controlled by the Council during more than one financial year. Items that the Council has acquired for a prolonged period under the terms of a lease or similar arrangement must also be recorded.

This means that the 'Assets Register' is maintained and reconciled for:

(i) All land and property owned, occupied or held by the Council, including land held under a charitable Trust where the Council has an interest in the land.
(ii) Buildings held and being used by the Council for operational purposes, including those held under the terms of a finance lease, and those held for investment purposes: for disposal; or deemed to be surplus to current requirements.
(iii) All highways infrastructure (eg roads, structures, traffic management systems etc.) that was capitalised in accordance with the guidance issued by the Chief Finance Officer.
(iv) All Council-owned vehicles, plant and equipment, including IT hardware, and intangible assets, such as IT software, that, when acquired, were capitalised in accordance with the guidance issued by the Chief Finance Officer.

Executive Directors/Directors will provide the Chief Finance Officer with any information necessary to maintain the Assets Register. This will include confirmation, and the location, of moveable assets, which should be appropriately marked and insured.

Non-current assets that are required to be measured at 'current value' will be re-valued in accordance with:

(i) The requirements of the CIPFA Code of Practice on Local Authority Accounting in the UK; and
(ii) Methodologies and bases for estimation set out in relevant professional standards, including those of the Royal Institute of Chartered Surveyors.

6.3 Use of Property Other Than for Direct Service Delivery

The use of property other than for direct service delivery will be subject to prior agreement of, and in accordance with terms and conditions specified by, the Director of Property and Asset Management in the Strategic Asset Management Plan.

Prospective occupiers of Council land and buildings are not permitted to take possession or enter the land and buildings until a lease or agreement, in a form approved by the Monitoring Officer on the instruction of the Director of Property and Asset Management, has been put in place.

6.5 Land and Property Asset Disposals – General Fund

Full details of the process governing the disposal of land and property owned the Council are set out in the Council's Asset Disposal Policy. This does not apply to the sale of residential properties within the Housing Revenue Account as these are subject to a different legal framework.

The overarching policy that identified and determines disposal of property is the Council's Strategic Asset Management Plan.

6.5.1 Legal Framework

Land should be sold for the best consideration reasonably obtainable as set out in section 123 of the Local Government Act 1972. The Act also sets out that in circumstances where an authority considers it appropriate to dispose of land at an undervalue, they must seek the consent of the Secretary of State, unless the undervalue amount is £2m or less.

In determining whether or not to dispose of land for less than the best consideration reasonably obtainable, and whether or not any specific proposal to take such action falls within the £2m undervalue limit, the authority should ensure that it complies with normal and prudent commercial practices, including obtaining the view of a professionally qualified valuer as to the likely amount of the undervalue. This applies even for disposals by means of formal tender, sealed bids or auction. Supporting documents should provide evidence that the Council has acted reasonably and with due regard to its fiduciary duty.

6.5.2 The Disposal Process

The Director of Property and Asset Management is responsible for determining whether operational land or buildings are potentially surplus to requirements and for reporting their availability in accordance with the Asset Disposal Policy.

Receipts from the disposal of assets will be treated as a corporate resource and not earmarked for specific projects. The Chief Finance officer will determine their application in line with the Council's Medium Term Financial Strategy.

6.6 Land and Property Asset Disposals – Housing Revenue Account

The primary form of Housing Revenue Account disposal is through the Right to Buy (RTB) process.

Additional HRA receipts may occur for instance from Land for development and follows a similar process to the General Fund disposals, however it is tied to additional requirement to gain consent from the Secretary of State. Land provided under Part II of the 1985 Act which no longer fulfils its current purpose can be removed from the HRA under Section 122(1) of the Local Government Act 1972. The guidance states that "the decision is for the authority to take, though it should be able to explain the basis of the decision to its External Auditor and tenants, if called upon to do so."

It is important to note that, before a house or part of a house can be appropriated out of the HRA for another purpose, a local authority needs to obtain the Secretary of State's consent under Section 19(2) of the 1985 Act.

6.7 Disposal of Other Assets

The Director for Digital and IT has the responsibility for managing and arranging for the safe disposal of all Council Digital and IT equipment in accordance with the best value duty, ensuring the safety of the Council's data whilst maximising any residual resource once the equipment has been cleaned and made ready for disposal.

Disposal of all other assets are the responsibility of the respective Directors, within existing Key Decision criteria.

6.8 Consumable Stocks and Stores

Directors must ensure robust arrangements are in place for the acquisition and management of stocks and stores held by their Services and must maintain inventory records that document the purchase, requisition and usage of these items.

The stock of such items should be maintained at an appropriate level and be subject to regular independent physical check against the inventory. Discrepancies must be documented and investigated and pursued to a satisfactory conclusion.

Where stocks and stores have not been used at the end of the financial year, they will be held on the Balance Sheet as stock. Directors must produce a stock certificate or evidence of a stock count, confirming the number and value of items held as at 31 March and submit it to the Chief Finance Officer. The value of the items represents the lower of cost or net realisable value.

Stocks and stores must be removed from (i.e. written off) the Council's financial records when they can no longer be sold or used, or when they are no longer held due to theft or other loss. Any write-offs of obsolete or missing stock must be carried out in consultation with the Chief Finance Officer.

6.9 Cash

6.9.1 Introduction

The Chief Finance Officer is responsible for issuing guidance for the management of all cash funds across the Council to ensure that the Council's money is properly managed in a way that balances risk with return, with the overriding consideration being given to security.

In accordance with the Council's Anti-Money-Laundering Policy, all suspected attempts to use the Council to launder money must be reported to the Chief Auditor who is the Council's Money Laundering Reporting Officer.

6.9.2 Treasury Management

The Council must comply with the CIPFA Treasury Management in the Public Services: Code of Practice and associated Cross-sectoral Guidance, and approve on an annual basis:

- A Treasury Management Strategy Statement (TMSS), which sets out the parameters for the Council's planned treasury activity during the coming financial year.
- A Treasury Management Policy.
- A Minimum Revenue Policy setting out the basis on which revenue funds will be set aside for the future repayment of outstanding borrowing.
- An Annual Investment Strategy, which sets out the Council's approach to managing risk in relation to its financial investments.
- Prudential and Treasury Management Indicators.

It is the responsibility of the Chief Finance Officer to propose a Treasury Management Strategy Statement to Council annually ahead of the new financial year and to subsequently recommending any changes as may be necessary to Council for approval through Policy Committees.

The Chief Finance Officer will report to the Audit & Governance Committee at regular intervals in each financial year, on treasury management activities undertaken within delegated powers.
All investments of money, and borrowings undertaken, on behalf of the Council will be made in the name of the Council. The Chief Finance Officer will maintain records of such transactions.

6.9.3 Loans to third parties

The following table sets out the circumstances in which loans may be provided to third parties, and the approval required for each type of loan:

Type of loan	Approval required
Season ticket and similar loans made to employees	To be made in accordance with the Council's Delegations Register Scheme of Delegation and HR Guidance: • Season ticket loans – Director • Cycle loans – Director • Rent Deposit Scheme – Director
Monies invested with banks and other financial institutions.	To be undertaken in accordance with the Council's Annual Treasury Management Strategy.
Loans to third parties, including wholly owned companies, for the purpose of financing expenditure which, if incurred by the Council, would constitute capital expenditure.	Such a loan would constitute capital expenditure by the Council, and the repayment would constitute a capital receipt, and so would require Capital Programme approval. The approval of the Chief Finance Officer will be required to make any such loan, within the scheme and spend approval already given by Committee for the capital expenditure.
Loans sought from the Council for other purposes (eg where a service is being outsourced and the potential provider seeks an up-front payment to support cash flows).	Only to be undertaken with the prior approval of the Chief Finance Officer. The Chief Finance Officer's approval will also be required to offer such a loan at a discounted rate of interest. In all cases, this approval will be subject to any necessary Committee consent for the overall purpose being pursued

6.9.4 Bank Accounts

The Chief Finance Officer the only Council officer with delegated authority to open bank accounts on behalf of the Council, and to approve a list of authorised bank signatories.

Only officers approved by the Chief Finance Officer have the authority to:

(i) Make arrangements for the collection and payment into the Council's bank accounts of all monies due to the Council.
(ii) Make or authorise transfers between the various bank accounts and withdrawals from those accounts.
(iii) Manage and administer bank accounts on behalf of clients as approved through Court of Protection/Deputyship arrangements.

6.9.5 Imprest Accounts, Petty Cash & Floats

In the limited circumstances when Purchase Orders cannot be used, the Chief Finance Officer may provide bank imprest accounts and/or petty cash to meet minor expenditure on behalf of the Council.

Cash floats may be provided where there is a requirement to hold cash for the purpose of giving change to customers.

The Chief Finance Officer is responsible for:

(i) Prescribing rules for operating these accounts/balances.
(ii) Determining the amount of each imprest account/balance.

(iii) Maintaining a record of all transactions and cash advances made.
(iv) Periodically reviewing the arrangements for the safe custody and control of these advances.

Officers operating an imprest account are responsible for:

(i) Obtaining and retaining vouchers/receipts to support each payment from the imprest account/balance. Where appropriate, an official receipted VAT invoice must be obtained.
(ii) Making adequate arrangements for the safe custody of the account/balance.
(iii) Producing cash and all vouchers/receipts to the total value of the imprest account/balance.
(iv) Recording transactions promptly.
(v) Reconciling and balancing the account/balance at least monthly; with reconciliation sheets being signed and retained by the account/balance holder.
(vi) Ensuring that any account/balance is never used to cash personal cheques or to make personal loans and that the only payments into the account are the reimbursement of the float and change relating to purchases where an advance has been made.
(vii) Providing the Chief Finance Officer with a certificate of the value of the account/balance held at 31 March each year.

6.9.6 Trust Funds and Funds Held for Third Parties

All trust funds will, wherever possible, be held in the name of the Council. All officers acting as trustees by virtue of their official position shall deposit securities relating to the trust with the Chief Finance Officer, unless the deed provides otherwise.

Where the Council is the trustee, funds will be operated within any relevant legislation and the specific requirements for each trust.

Where funds are held on behalf of third parties, for their secure administration, written records will be maintained of all transactions.

The Chief Finance Officer is responsible for making returns of charity trust accounts to the Charity Commission.

Section 7 - Income and Expenditure

7.1 Income

7.1.1 Introduction

Effective income collection systems are necessary to ensure that all income due to the Council is identified, collected, receipted and banked properly.

Wherever possible, income should be collected in advance of supplying goods or services. Such an approach will avoid the time and cost of administering debts and negates the possibility of a bad debt.

It is the responsibility of Directors to ensure that staff authorised to act on their behalf in respect of income collection are clearly identified, and that they follow accounting instructions as issued by the Chief Finance Officer.

7.1.2 Charging Policies

Executive Directors/Directors will ensure that charges for the supply of goods or services where appropriate enable as a minimum full cost recovery. These will be reviewed annually with the Chief Finance Officer, as part of the corporate budget process. An annual Statement of Fees and Charges will be taken to Council for agreement as part of the Council's annual budget setting process.

On an exceptional basis, alternative timeframes will be considered in agreement with the Chief Finance Officer.

7.1.3 Income Collection

The Chief Finance Officer will set out the procedures, systems and processes for the collection of all income due to the Council including debt recovery and write offs.

The Chief Finance Officer in conjunction with Directors will ensure that:

(i) All money received by, or on behalf of, the Council is paid fully and promptly into the appropriate Council bank account,
(ii) Income is not used to cash personal cheques or other payments.
(iii) Appropriate details are recorded onto paying-in slips to provide an audit trail.
(iv) A record is kept of money received directly by employees of the Council.
(v) The receiving officer signs for the transfer of funds, and the transferor must retain a copy.
(vi) Money collected and deposited is reconciled to the appropriate bank account on a regular basis.
(vii) The responsibility for cash collection is separated from that for identifying the amount due and that responsibility for reconciling the amount due is separated from handling of the amount received.
(viii) Income is only held on premises up to levels specified within the Council's insurance policies. All such income will be locked away to safeguard against loss or theft, and to ensure the security of cash handling.
(ix) All appropriate income documents are retained and stored for the defined period in accordance with the Council's document retention policy and schedule.
(x) The Chief Finance Officer is advised of outstanding income relating to the previous financial year as soon as possible after 31 March, and in line with the timetable for closure of the accounts.

7.1.4 Debt Recovery

Executive Directors/Directors will ensure that a clear framework is in place within their areas of responsibility which defines who is empowered to raise a debt on the Council's behalf.

Debts should be recovered in accordance with the Council's Corporate Debt Recovery Policy, which sets out the principles for maximising collection, and provides details of the approach the Council will take in seeking to recover all money due. In all cases will be reasonable, fair and appropriate given the nature of the debt:

(i) Where appropriate and lawful, ensure payment is received before or at the point of service.
(ii) Invoices and other requests/demands should be checked for completeness and accuracy before being issued promptly.
(iii) All invoices to be paid in accordance with the deadlines set out in the Corporate Debt Recovery Policy.

7.1.5 Writing Off Debts

Directors will critically review outstanding debts on a regular basis, in conjunction with the Chief Finance Officer, and take prompt action to write off debts no longer deemed to be recoverable.

No legitimate debt may be cancelled, other than by formal write-off. Executive Directors/Directors have delegated authority to write off debts, for a particular debtor, for sums up to £1,000 at their own discretion; and for sums of up to £20,000 with the consent of the Chief Finance Officer. In both cases they must keep a written record of the debt and the reasons for writing it off.

The Chief Finance Officer will report to the Policy Committee on the writing-off of individual debts over £20,000.

A record must be maintained for all debts written off. Where debts have been referred to Legal Services, the Chief Finance Officer will have due regard to their advice when considering action relating to bad debts. The appropriate accounting adjustments must be made following approval to write off a debt.

A write-off is only appropriate where:

- The demand or invoice has been raised correctly and is due and owing; and
- There is a justified reason why the debt should not be pursued further.

7.1.6 Issuing Credit Notes – Accounts Receivable

Credit notes will be subject to the approval of the Director or operational budget holder.

A credit note to replace a debt must be substantiated and can only be issued to correct a factual inaccuracy or administrative error in the calculation and/or billing of the original debt, and once it is confirmed that the debt is not payable.

Credit notes will not be issued:

(i) For irrecoverable debts, as the formal write-off procedure should be followed.
(ii) Where the debtor cannot afford to pay at that time. The debt should remain, and revised payment terms agreed, as appropriate.
(iii) Where a debt is to be recovered through deductions from payments. In such instances, the deductions made should be offset against the debtor.

7.2 Ordering and Paying for Work, Goods and Services

7.2.1 Introduction

Public money must be spent with demonstrable probity and in accordance with the Council's policies. The Council's procedures help to ensure that officers are protected, and services obtain value for money from their purchasing arrangements through the use of established contracts, service level agreements and the use of the Council's systems.

Officers involved with engaging contractors, and/or with purchasing decisions, have a responsibility to declare:

(i) Any links or personal interests that they may have with suppliers and/or contractors; and
(ii) Any gifts or hospitality offered by, or received from, suppliers and/or contractors.

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7.2.2 Purchase Orders

A purchase order is a document that the Council sends to a supplier to request goods or services at a specific price and quantity. It is used to control the purchasing process.

Purchase Orders for works, goods and services must be raised via the Council's Finance System and authorised by officers designated by the relevant Executive Directors/Directors.

All purchase orders must be raised prior to the supply of goods and services and receipt of the supplier invoice.

Purchase Orders can only be raised on finance system by approved staff (buyers) who have completed the relevant Finance System eLearning training and granted access to the purchase order role in the finance system.

When creating purchase orders, buyers are responsible for selecting the correct supplier and choosing the most appropriate spend category, to allow the Council to track overall spend by type of work, goods or service.

The buyer is also responsible for entering the correct financial account codes, order value and relevant dates for provision of the work, goods or service for each line item in the order so that the spend commitment in the finance system is recorded against the correct account codes and financial periods.

The finance system prevents buyers from approving their own orders. Purchase Orders are submitted to designated approvers based on the Scheme of Delegation (financial limits) and cost centre assignments.

The levels of authority for approval of Purchase Orders are as follows:

Organisation / Role	Financial Delegation
Chief Executive Chief Finance Officer and Deputy s151 Officer	No limit
Executive Directors plus selection of senior managers responsible for overseeing PFI / capital projects	£5,000,000
Directors	£500,000
Cost Centre Manager	£50,000

The authoriser of an order must be satisfied that:

(i) The works, goods and services ordered are appropriate and needed.
(ii) There is adequate budgetary provision; and
(iii) Quotations or tenders have been obtained, if necessary, in accordance with procurement policies and procedures.

Works, goods and services must be checked upon receipt to ensure they are in accordance with the order. Wherever possible, goods should not be received by the person who approved the order.

The buyer is responsible for recording the receipt of works, goods and services against the original purchase order in the finance system promptly when the works, goods and service have been received, and prior to the receipt of an invoice. This will provide approval to pay for the works, goods and services for the amount receipted.

Buyers are responsible for performing monthly reviews of all open purchase orders and for taking action to follow-up on outstanding requirements, amending purchase orders for agreed variations and for closing purchase orders when all required goods and services have been provided and receipted. Amendments to a Purchase Order that increase the value will be subject to the same approval process described above.

The Chief Finance Officer is responsible for:

(a) Maintaining the levels of authority for approval of Purchase Orders and authorised signatory database.

Executive Directors/Directors are responsible for:

(a) Designating those staff authorised to raise purchase orders.
(b) Designating those officers authorised to approve purchase orders.
(c) Closing any orders that are inactive and no longer required.

7.2.3 Invoice Payments

The Chief Finance Officer will make payments from the Council's funds upon the receipt of proper original, certified copy or valid electronic VAT invoices that have been checked and that the associated Purchase Order has been goods receipted.

Payments to creditors will be made within agreed payment terms.

Any invoice in dispute with a supplier must be clearly identified and processed in accordance with guidance issued by the Chief Finance Officer and the Monitoring Officer.

For transactions other than those processed via the Council's finance system, a different officer from the person checking an invoice must authorise the payment.

It is not permissible to make a payment in advance of the delivery of works, goods or services, or to vary the Council's standard settlement terms, other than with the prior approval of the Chief Finance Officer.

The normal method of payment by the Council shall be by BACS payments direct into suppliers' bank accounts.

The use of VISA Purchasing Cards (VPCs) must be done in accordance with the VISA Purchasing Card Procedure Rules. The card user is responsible for obtaining valid VAT invoices or receipts for the purchases made.

In exceptional circumstances, where suppliers are unable to accept payment via BACS, an alternative method of payment will be provided by the Chief Finance Officer. The use of direct debits to make payments will require the prior agreement of the Chief Finance Officer.

All appropriate evidence of the transaction and payment documents will be retained and stored in accordance with the Council's document retention policy and schedule.

The Chief Finance Officer is responsible for:

(a) Issuing VISA Purchasing Card Procedure Rules
(b) Making payments to suppliers.

Executive Directors/Directors are responsible for:

(a) Notifying the Chief Finance Officer immediately of any expenditure to be incurred as a result of statute / court order where there is no budgetary provision. In such cases, appropriate budget provision should be sought, by way of a virement.
(b) Advising the Chief Finance Officer, at the end of each financial year, of outstanding expenditure relating to the financial year just ended, in line with the timetable for closure of the accounts determined by the Chief Finance Officer.

7.3 Taxation

The Council is required to comply with all relevant taxation regulations and guidance that affect the Council either directly, as a consequence of its own activities, or indirectly, as a consequence of service delivery through external partners.
Taxation regulations are complex and can require external specialist advice. It is essential that new or unusual activities are properly assessed prior to commencement.

The Chief Finance Officer is responsible for:

(a) Ensuring compliance with all relevant taxation regulations and guidance that affect the Council either directly, as a consequence its own activities, or indirectly, as a consequence of service delivery through external partners.
(b) Maintaining the Council's tax records, making all tax payments, receiving tax credits and submitting tax returns by their due date, as appropriate.

Executive Directors/Directors are responsible for:

(a) Ensure that the Chief Finance Officer is consulted on all proposals that may alter or affect the Council's tax liability, including proposals to implement alternative service delivery models.
(b) Ensure that the VAT guidance issued by the Chief Finance Officer is complied with, to ensure that the correct liability is attached to all income due and that all amounts recoverable on purchases can be claimed.
(c) Ensure that, where construction and maintenance works are undertaken, the sub-contractor fulfils the necessary construction industry tax scheme requirements, as advised by the Chief Finance Officer.
(d) Ensure that the Chief Finance Officer's guidance regarding fee payments to consultants, individuals or partners is complied with.

7.4 Emergency Payments

Emergency payments are those arising from legal cases, civil emergencies or natural disasters such as flooding. They relate to unforeseen circumstances where budget provision has not been made and the payment cannot be covered within the relevant service's existing budget.

Emergency payments can only be made in accordance with Standing Order 42.

7.5 Transparency

The council complies with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015 by publishing information about all payments over £500.

Section 8 – External Arrangements

8.1. Alternative Delivery Models

8.1.1 Introduction

Services may be commissioned from retained services within the Council or via an alternative delivery model. Any intention to commission services through such a model must only be pursued in compliance with the decision making process outlined below.

8.1.2 Business Cases for Alternative Delivery Vehicles

Any proposal to commission services via an alternative delivery vehicle must be supported by an approved business case, to ensure that there is a robust planning and decision-making process in place.

The Business Case must clearly articulate the options being considered and measure these against the desired outcomes. It should also set out whether there is a statutory basis for the provision of the service or activity under consideration.

A decision to enter into or to affect the terms of an agreement or partnership agreement with other local authorities or bodies falls within the authority's definition of a key decision and therefore requires specific committee approval. A decision to enter into a Joint Arrangement or Joint Committee with other local authorities must be taken by Council.
Executive Directors/Directors are responsible for ensuring that Council or Committee approval is obtained before any contract negotiations are entered into, and that all agreements and arrangements are properly documented.

The Policy Committee is responsible for approving the Council's participation in all significant partnerships/joint working arrangements with other local public, private, voluntary and community sector organisations.

Executive Directors/Directors, following advice from the Head of Paid Service, Monitoring Officer and Chief Finance Officer, will advise Policy Committee on the key elements of arrangements for commissioning services via an alternative delivery model, including:

(i) The financial roles and responsibilities of the Council with respect to monitoring of the alternative delivery model provider.
(ii) Appraisal of financial and non-financial risks, together with mitigation plans. The reputational impact of failure to deliver services should be considered, with clear plans on how this would be addressed.
(iii) A comprehensive list of all the financial commitments the Council will enter into as a result of adopting the alternative service delivery model.
(iv) The governance arrangements for decision making and how these will be carried out to ensure that the services provided remain aligned to those of the Council.
(v) Performance measurement arrangements.
(vi) Exit arrangements, and what would be done to ensure services continue to be delivered in the event of non-delivery by the service provider.
(vii) The financial implication, including taxation issues, arising as a consequence of the proposed alternative delivery model.
(viii) Transfer of Council assets to the proposed delivery vehicle, and arrangements for safeguarding their title and use.
(ix) How equality, sustainability, recruitment and employment practices, data handling and protection, freedom of information principles, standards and behaviour and arrangements for engaging with citizens and service users are aligned to the Council's legal requirements and policies.
(x) Audit requirements, both internal and external, and arrangements for the Council's auditors, where relevant, to have access to information.
(xi) Arrangements for providing information required for the Council's Statement of Accounts to the Chief Finance Officer.
(xii) In the event that the proposal is for a local authority trading company, a dividend policy should be agreed that sets out the process by which decisions will be taken regarding the retention or distribution of profits.
(xiii) Pensions advice.

8.2. Partnerships

8.2.1 Context

Partnerships include any arrangements where the Council agrees to undertake, part-fund or participate in a project with other bodies; either as a beneficiary of the project, or because the nature or status of the project gives the Council a right or obligation to support it. It is important to understand and distinguish between a partnership in this context and a supplier who the Council may refer to as a 'partner' due to the status that the Council has contractually awarded to it. Irrespective of the title applied to it, this latter type of partnership is a supplier relationship, which will be entered into in accordance with, and governed by, the Council's Contract Procedure Rules.

8.2.2 Forming of Partnerships

The approval of Policy Committee must be obtained prior to the Council entering into any partnership agreement where it is proposed that the Council adopts the role of 'Accountable Body' for a partnership. This is to ensure that the:

(i) Legal status and financial viability of the arrangement are clearly established and that they are acceptable.
(ii) The Council's financial commitment to the partnership is quantified and that it can be accommodated within the existing budget provision.
(iii) Financial and corporate governance arrangements in place for the partnership are robust, and acceptable from the Council's perspective.
(iv) The Council is not exposed to undue financial, legal or reputation risk as a consequence of its involvement in the partnership.
(v) The Council's own financial accounting and reporting requirements can be satisfied.

A partnership agreement must be produced that documents each of the above matters, and the arrangements for dispute resolution and for exiting the arrangement.

The relevant service Committee is responsible for approving the partnership agreement, and any delegations and frameworks required by it, in respect of functions and services delegated to that Committee. The Policy Committee will approve partnership agreements, delegations and frameworks which affect services which cut across the delegation of functions to Committees, or where the decision falls outside the service committee's normal cycle of meetings or is urgent.

Executive Directors/Directors are responsible for:

(a) Ensuring the approval of the Head of Paid Service, Chief Finance Officer and the Monitoring Officer is obtained prior to entering into a partnership agreement.
(b) Ensuring an appraisal is undertaken which demonstrates that the risks associated with the arrangement are minimal, or that appropriate arrangements are in place to mitigate any such risks.
(c) Ensuring the partnership agreement and arrangements will not impact adversely upon the services provided by the Council or upon its finances.
(d) Ensuring the proposed financial contribution by the Council to the partnership can be met from existing budget provision.
(e) Ensuring Committee approval is secured for the agreement, and for all delegations and frameworks for the proposed partnership.

Executive Directors/Directors must make clear, in their report to Committee, the Council's budget provision for the service covered by the proposed partnership arrangement. The report must specify which party will be the Accountable Body under the partnership, set out the financial implications and seek the necessary budget transfers and officer delegations to exercise this role if it is the Council.

8.2.3 The Council Acting as Accountable Body for a Partnership Arrangement

Where the Council is the 'Accountable Body' for a partnership, all expenditure must be authorised by an appropriate Council officer, or by someone else who has a statutory power to authorise expenditure. Executive Directors/Directors are responsible for ensuring that the Council is promoting and applying the same high standards of financial administration to the Partnership as apply in the Council.

Whenever any such arrangements are made there must be a written document which clearly establishes the responsibilities of the respective partners for managing the arrangement and the resources made available to the partnership. The document must also set out the arrangements in respect of unspent funding at each year end, including where this is to be returned to the Council as unspent money.

Executive Directors/Directors must provide all relevant information on the partnership arrangements to the Chief Finance Officer and the Monitoring Officer, in order that the appropriate disclosures can be made within the Council's annual Statement of Accounts.

8.3. External Funding

8.3.1 Funding Conditions

External funding eg government and non-government grants is an important source of income to the Council, but funding conditions need to be carefully considered prior to entering into agreements, to ensure that:

(i) They are compatible with the aims and objectives of the Council;
(ii) The necessary procedures are in place to meet funding conditions and reporting requirements; and
(iii) Appropriate budget provision is available if 'match funding' is required.

All bids for external funding must be made in consultation with the Chief Finance Officer.

Bids for sums which, if successful, would involve the Council in a financial commitment of over £500k for the length of the scheme, are key decisions and must be agreed in advance by the responsible service Committee. Any bid where the Council does not have budget provision to meet its contribution to the cost of the scheme is also a key decision.

In exceptional cases, where the timescale and deadline for the bid mean that is would not be practical to submit a report to the relevant Committee, the bid may be submitted following consultation with the Chief Finance Officer, Lead Councillor and Leader or Deputy Leader, and reported to the next meeting of the Committee by the lead Director.

For other bids, the following delegations apply:

(1) The Director for the service in question, in consultation with the Chief Finance Officer, is authorised to submit bids for funding from all available sources which do not fall within the key decision definition, and where successful to accept, subject to:

(a) The scheme being consistent with the Council's capital strategy, budget and policy framework and medium-term priorities.
(b) The Council's contribution being met from within existing approved budgets in the current and future years.
(c) The Council's costs or liability not exceeding £500,000 over the length of the scheme.
(d) All successful bids over £100,000 being reported by the lead Director to the next meeting of the responsible Committee.

(2) Where any of the criteria in (a) to (c) above are not met, the lead Director may not submit or accept a bid for any scheme without the prior approval of the Policy Committee.

8.3.2 Accounting for External Funding

The Chief Finance Officer, in conjunction with the Director in receipt of the grant, must, as appropriate, ensure that all funding notified by external bodies is received and properly recorded in the Council's accounts. This will include ensuring that claims for funding are made by the due date, and in accordance with the funding conditions and guidance issued by the Chief Finance Officer.

The Chief Finance Officer and Directors must, as appropriate, satisfy audit requirements in respect of external funding claims. This includes maintaining appropriate records that accord with the funding conditions, and making these available to the auditors as required.

8.3.3 Third Party Expenditure

Sometimes, grant funding awarded to the Council may be passed to an organisation falling outside of the direct responsibility of the Council. The Council will however remain accountable for the grant funding and, as such, will be responsible for ensuring that all of the terms of the grant are met. The Council must ensure that effective monitoring procedures are in place to provide assurances over the eligibility of expenditure incurred by the third party.

8.4. Work by the Council for Third Parties

8.4.1 Approval to Contractual Arrangements

Work can only be undertaken for third parties where the Council has the legal powers to undertake the work. Where such legal powers exist, Executive Directors/Directors are responsible for:

(i) Approving the contractual arrangements for any work undertaken by their services for third parties or external bodies.
(ii) Ensuring that the appropriate expertise exists to fulfil the contract.
(iii) Ensuring that no contract adversely impacts upon the services provided by the Council.
(iv) Ensure that the appropriate insurance arrangements are in place.
(i) Ensure that all costs arising from the provision of services to a third party are fully recovered and hence that there is no subsidy included within the contract.
(ii) Ensure that wherever possible payment is received in advance of work being undertaken such that the Council is not exposed to the risk of bad debts.

All contracts will be properly documented, and a register will be maintained of those contracts. Executive Directors/Directors will provide information on the contractual arrangements to the Chief Finance Officer, in order that the appropriate disclosures can be made within the Council's annual Statement of Accounts.

Contract Procedure Rules

(Adopted by Council on 30 June 2026)

(Council also gave delegated authority to the Head of Procurement to revise the UK Procurement Threshold values in the Procedure section of the Contract Procedure Rules in line with biennial revision by Cabinet Office, and minor general revisions to allow ongoing corporate alignment.)

1. Introduction

1.1 These Contract Procedure Rules (CPRs) explain how Reading Borough Council purchases and procures all goods, services, works, and concessions. They also set out the rules for making contract arrangements to ensure the Council meets its needs.

1.2 The CPRs (also known as Standing Orders) guide the Council in procuring and awarding contracts. They provide a clear framework to ensure the Council establishes all contracts lawfully, transparently, and accountably. The Council created these rules to uphold key principles, comply with legislation, protect public money, promote competition, and advance strategic objectives. Everyone involved in buying or commissioning services must follow these rules to maintain high standards of governance and public trust.

1.3 All procurements must follow these CPRs, the Council's Financial Regulations, and all current procurement and relevant legislation. Procurement activity must also align with corporate policies (such as Net Zero and Social Value) and follow any guidance the Council issues to help meet these policies and deliver corporate objectives.

1.4 If any conflict arises between these CPRs and legislation, the Council must follow the legislation.

1.5 Executive Directors, Deputy Directors, Directors and Cost Centre Managers must ensure their services follow these CPRs during procurement. They must also appoint a suitable Officer to plan procurements, start them on time, allow enough time for competitive procurement, follow governance procedures, formalise contracts into signed agreements, and manage them through delivery.

1.6 Officers[3] must notify and engage key stakeholders early in the process to support resource planning, starting from budget setting or business case drafting. Officers must identify which stakeholders they need advice from across all Departments within the Directorate of Resources.

1.7 Managers must ensure that Officers involved in procurement have the necessary skills. When needed, they must arrange support from a fully skilled and qualified member of the Procurement Team.

1.8 Failing to follow these CPRs may result in disciplinary action and could be considered serious misconduct.

1.9 If someone does not fully follow these CPRs, the Council will treat it as a breach. The Council will record the breach in a corporate register, analyse lessons learned, and report findings to the Monitoring Officer. The Council must apply remedial measures to the affected contract, which may include early termination and reprocurement through a compliant process.

Legislation

1.10 Various laws govern procurement activities. For procurements that begin on or after 24 February 2025, the Procurement Act 2023 and Procurement Regulations 2024 apply. If the Council awarded contracts or used national frameworks or dynamic purchasing systems before this date, it must follow the Public Contracts Regulations 2015 or the Concession Contracts Regulations 2016. For certain health-related contracts, the Provider Selection Regime Regulations 2023 may be relevant.

[3] Officer means any person employed directly by the Council regardless of seniority

1.11 Before starting any procurement project, Officers must identify which laws apply and ensure full compliance. If they are unsure, they must consult the Procurement Team [4]or Legal Services.

1.12 Contracting authorities must also consider the National Procurement Policy Statement (NPPS) and follow guidance in Procurement Policy Notes (PPNs) issued by the Cabinet Office. Officers must also take into account key legislation such as the Best Value Duty (Local Government Act 1999), the Local Government Act 1972 and 2000, and statutory service laws including the Care Act 2014, Children Act 1989, and Children Act 2004.

1.13 The Council's Procurement Manual provides practical guidance on applying these laws and policies during procurement and contract management. Officers must read the manual alongside any service-specific guidelines and operating procedures.

Additional Legislation and Guidance

1.14 Other laws may influence procurement decisions and contract-related actions. For example:

- Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) affects employee rights during service transitions.
- Subsidy Control Act 2022 governs financial assistance and requires public authorities to assess and justify subsidies.
- Care Act 2014 impacts procurement in adult social care, especially regarding market oversight, provider failure, and person-centred commissioning.

1.15 While the Procurement Team and Legal Services offer guidance on these laws, the Officer leading the procurement must ensure compliance and understand how each law affects decision-making. Officers must also seek advice from legal and technical specialists when necessary.

Exclusions

1.16 These CPRs do not apply to:

i. Contracts[5] where the Council unconditionally [6]sells or purchases land – including leasehold interests

i. Contracts where the Council appoints employees

ii. Grant Agreements that the Council issues to external parties

iii Services procured by schools within the Council's boundaries using their own budgets

iv Contracts that residents award when they receive direct payments

v. Works or services[7] that the Council provides to another party

vi Urgent niche legal advice[8]

vi Any other circumstances defined by the Procurement Act

1.17 In emergencies that require immediate action to protect life (as defined by the Procurement Act) or resolve emergency planning incidents (eg severe weather), Officers may award contracts before completing full governance, in line with the approval limits in the Financial

[4] Procurement Team includes any service procurement lead ("spoke") or central ("hub") member – this definition applies throughout this document

[5] Only the actual sale or purchase of land (including leasehold interests) is excluded. Any advice or services to support these transactions are still in scope including commissioning agents

[6] Conditional sales require a formal procurement process

[7] When appointing a supplier/contractor to deliver services/works, the appointment remains within scope of the CPRs

[8] Counsel or barrister appointment relevant to uncommon areas of law to respond to litigation, injunctions, judicial review where a formal procurement or exemption would not be possible – this must be evidenced. General Counsel, Barristers and legal advice for all other proceedings and needs must follow the full CPRs.

Regulations. However, they must ensure retrospective compliance. An Executive Director, Deputy Director, or Director must approve this action, and notify both the Section 151 Officer and the Monitoring Officer as soon as possible.

1.18 Even in the cases listed above, Officers must still consider value for money, comply with any grant conditions, and conduct general supplier due diligence.

CPRs Relevant to Individual Placements

1.19 Officers must follow all regulations and legislation outlined in this section when arranging individual placements[9]; these are designed to consider social care, education or emergency homelessness services. Due to the unique nature of these arrangements, Officers may instead follow the Appendix to the CPRs ("Placement Standing Orders") to ensure equitable governance and outcomes.

2. Scheme of Delegation and Approvals

2.1 This section explains who holds the authority to start procurement processes, make procurement decisions, sign contracts, and approve variations or extensions.

2.2 The Council uses a Gateway process to assess and monitor procurement at key stages. The four stages of the Gateway Process are:

i. Planning

ii. Gateway 1 – Approval to Procure

iii. Gateway 2 – Approval of Tender Pack

iv. Gateway 3 – Approval to Award

2.3 The Gateway process, along with the Dashboard, tracks progress and approvals throughout the procurement pipeline.

2.4 Before moving to the next stage of any procurement, an authorised Officer must seek approval for the action and save the approval for audit purposes. The Council's Scheme of Delegation (referred to here as 'Contract Delegations') sets out who holds this authority.

Contract Values

2.5 Officers must determine the contract value both inclusive and exclusive of VAT. Officers will use the VAT-inclusive value to decide the sourcing strategy and the VAT-exclusive value for publishing notices and applying the correct delegations and internal processes.

2.6 If the contract includes potential extensions or optional extras, Officers must include those in the total value.

Key Decisions

2.7 Key Decisions require formal approval through a Committee report and must go to a Standing Committee. Officer must refer to the Key Decision thresholds in the Constitution to determine if they require Committee approval to proceed. Examples of specific procurement scenarios are outlined in the Procurement Manual for ease of reference.

2.8 A Standing Committee may delegate a Key Decision to an Executive Director, allowing them to make the decision without returning to Committee for final approval or for variations/extensions.

Non-Key Decisions

[9] Any individual or group forming a household, such as a single person, couple, or family in any form

2.9 Executive Directors, Deputy Directors, or Directors may make non-Key Decisions in line with the Constitution.

2.10 If none of these Officers are available, an Officer with equivalent or greater authority—such as the Section 151 Officer or Monitoring Officer—may make the decision.

Low Value Purchases

2.11 Cost Centre Managers may authorise purchases and contract awards below £5,000 (excluding VAT). They must prioritise using existing corporate contracts before selecting new suppliers. Cost Centre Managers must also monitor repeated purchases of similar items and consolidate them into a single contract to improve value for money. The Procurement Team will help identify opportunities for joint purchasing across departments.

Officer Approval Levels

2.12 The following approval levels apply under the Contract Delegations for awarding contracts:

Value/Type of Contract	Approver
Below £30,000	Budget Holders
£30,000–£100,000 revenue (per annum) or capital (total)	Deputy Director or Director
Revenue: £100,001–£500,000 per annum or Capital: £100,001–£2.5m total	Deputy Director / Director, in consultation with their Executive Director
Revenue: Over £500,000 per annum or Capital: Over £2.5m total	Formal decision by Council or Committee, or delegated authority to an Executive Director

Where a contract has both capital and revenue funding, if any part of the contract exceeds a threshold mentioned above, Officers must treat the entire contract as falling under the higher authorisation level.

2.13 Officers must seek authorisation for the creation of frameworks, DPS, and Dynamic Markets that the Council has designed itself based on their aggregate value, in line with Contract Delegations.

2.14 If the Council created or is a named member of a framework, DPS or dynamic market, a Director (or Deputy Director) may approve call-offs from it regardless of value. However, if the call-off itself qualifies as a Key Decision, the Officer must consult their Lead Member to determine if Committee approval is needed.

2.15 When using national frameworks or equivalent arrangements (eg Crown Commercial Service), the Head of Procurement may approve and sign access to such agreements. All Officers must still follow the rules in Contract Delegations to approve the contract procured via that arrangement in line with its individual value.

Extensions and Variations

2.16 If a proposed extension or variation qualifies as a Key Decision, a relevant Committee must approve it. If the change has already been approved through the Medium-Term Financial Strategy or another formal Member review, no further Committee sign-off is needed. Similarly, if the Council has delegated the decision to an Officer, no additional approval is required.

2.17 Deputy Director, Director and Budget Holders may authorise all other variations under the Contract Delegations.

2.18 If a contract includes an extension option, the authorised Officer in line with the Contract Delegations may approve it, provided they confirm budget availability and satisfactory supplier performance.

2.19 For any other extensions or variations, Officers must seek a Waiver and demonstrate value for money and compliance with CPRs and applicable legislation.

3. Procurement Procedures and Thresholds

3.1 Officers must initiate all procurements within the scope of the CPRs—regardless of route—by submitting a Procurement Instruction Form. For contracts outside the scope of the CPRs, the Deputy Director or Director may decide whether a Procurement Instruction Form is necessary, but they should still assess whether combining similar purchases could deliver better value.

3.2 Officers must only submit a Procurement Instruction Form after confirming spending approval which may include approval secured through the budget-setting process or authorisation to apply for external grant funding. Before starting any procurement activity, Officers must provide evidence of proper authorisation, including cost centre details. Once ready, Officers must send the form to the Procurement Team to obtain a Unique Reference Number, which allocates resources and officially starts the procurement process.

Record Keeping

3.3 Officers must retain copies of all procurement documentation using the standard filing structure under the relevant URN in the Procurement and Contracts Document Centre.

3.4 They must also store any supplementary notes that explain decision-making in line with the Council's document retention policy:

- Retain documents related to unsuccessful bids for 12 months from the tender award date, following the filing protocol in the Procurement Manual.
- Retain documents related to successful bids and the associated contract for the legally required period:
  - 6 years from final payment for signed contracts
  - 12 years for sealed contracts
  - 30 years for building works completed before 28 June 2022
  - 15 years for building works completed after that date

3.5 Officers must manage conflicts of interest throughout the entire project and contract lifecycle. They must conduct checks when reviewing bidder submissions, including for Waivers and Direct Awards, and at every stage of decision-making, including approvals and contract management. If someone new takes on a key role, they must confirm any conflicts of interest before assuming responsibilities.

3.6 Officers must complete a risk management assessment and lessons learned assessment at the start of the Gateway process and continue it through contract delivery. This assessment must reflect the nature and value of the contract, as guided by the Procurement Manual. Officers must assign an owner and mitigation for each identified risk.

Selection of Strategy Procedure

3.7 Officers may use Visa or Government Purchasing Cards for low-value one-off purchases, but only in circumstances defined by the Financial Regulations.

3.8 Officers must secure all recurrent purchases through a contract. The following procedures apply relevant to different contract values. Procurement Specialists may choose to exceed these minimum procedures if doing so adds value.

Total Contract Value	Procedure
Below £5,000	One written quote
£5,000 to <£30,000	Where the requirement is not complex and can be assessed purely on the basis of price or price and simple quality requirements: • Seek at least three and obtain at least one written proposals (via email or e-tendering portal). • Call-off from an established framework, dynamic purchasing system or dynamic market *Note:* Where award of the Contract is subject to complex quality requirements one of the options from £30,000 to Threshold (as below) should be used.
£30,000 up to the Public Procurement Threshold for Goods and Services (£207,720 inc. VAT or £663,540 inc. VAT for Light Touch Regime) OR £30,000 up to £1m for Works	One of the following should be selected: A. Seek at least three and obtain at least one written proposals through the Council's e-tendering portal; wherever possible the invitation should include at least one local[10] Supplier Or B. • An open invitation to tender through the Council's e-tendering portal • Competitive call-off from established framework, dynamic purchasing system or dynamic market Or C. • Direct award to another contracting authority or via an established framework where best value is demonstrated
Over £1m up to £2.5m for Works	One of the following should be selected: A. Seek at least four and obtain at least two written proposals through the Council's e-tendering portal; wherever possible the invitation should include at least one local Suppliers Or B. • An open invitation to tender through the Council's e-tendering portal • Competitive call-off from an established framework, dynamic purchasing system or dynamic market Or C. • Direct award to another contracting authority or via an established framework where best value is demonstrated
Over £2.5m Works up to Works Public Procurement Threshold (£5,193,000 inc VAT)	One of the following should be selected: A. Seek at least five and obtain at least two written proposals through the Council's e-tendering portal; wherever possible the invitation should include at least two local Suppliers Or B. • An open invitation to tender through the Council's e-tendering portal • Competitive call-off from an established framework, dynamic purchasing system or dynamic market Or C. • Direct award to another contracting authority or via an established framework where best value is demonstrated

[10] "Local" will be defined within the Council's Corporate Strategy

Total Contract Value	Procedure
Above the Public Procurement (FTS) Threshold – all Categories	A compliant tendering procedure fully in line with legislation and regulations

3.9 When procuring a concession contract for works or services, Officers must apply the same procedures and financial thresholds used for works contracts.

3.10 If the procurement involves a Light Touch Regime contract, Officers can apply the flexibilities permitted in the Regulations. Before developing the strategy, Officers should confirm whether the Light Touch Regime applies to the subject matter.

3.11 Similarly, Officers should determine whether the Provider Selection Regime applies. If it does, Officers may follow the procedures outlined in that legislation.

Pre-Used Equipment

3.12 To achieve cost efficiencies, Officers may consider purchasing second-hand equipment when appropriate.

3.13 Regardless of the value, Officers must follow all CPR requirements and guidance in the Procurement Manual to ensure best value when purchasing pre-used equipment.

Procurement Strategies

3.14 For most contracts, Officers must agree on a strategy (or Waiver) in collaboration with a dedicated Procurement Specialist and the nominated contract manager. The Gateway Process and Contract Delegations will guide the approval of this strategy.

3.15 Low-value, low-risk purchases do not require a documented strategy, as defined in the Procurement Manual.

3.16 The Procurement Lead must publish all relevant notices in compliance with legal requirements. The contract manager must meet equivalent obligations throughout the contract's lifetime.

3.17 When calling off from an external Framework, DPS, or Dynamic Market, Officers must include any associated costs (eg access charges) in the cost analysis of the strategy.

Collaboration

3.18 Officers must actively seek opportunities to run joint procurement exercises with other Council departments that may be planning similar procurements.

3.19 They should also explore opportunities to collaborate with other local authorities and public sector bodies.

3.20 When procuring a contract in collaboration with other public sector bodies, Officers must follow the CPRs of the lead organisation. They must confirm that the lead authority complies with its own CPRs.

3.21 Officers only need to seek approval for the Council's contribution to the collaboration agreement. The Contract Delegations apply to the Council's share of the cost, not the total value of the agreement.

4. Waivers

About Waivers

4.1 Waivers allow Officers to not follow specific CPR requirements when justified and permitted by procurement legislation. Officers may request a waiver under the following circumstances:

To resolve urgent situations not of the council's own making eg urgently imposed statutory changes

To prevent enforcement action against the Council for non-compliance with a relevant statutory provision

To extend a contract where the terms do not specify an extension and there is clear value for money benefit for doing so

To continue service where product compatibility issues exist

To achieve better value for money when a competitive route fails to secure the most advantageous offer

To engage with a supplier in a true monopoly or where limited supply options exist (eg patented goods), provided the Council did not cause the limitation

To apply a legal exemption not already listed in the CPRs

4.2 Officers must obtain authorisation from the Section 151 Officer before placing a contract or confirming arrangements with a supplier under a waiver.

4.3 Waivers cannot override any legislative requirements under any circumstances.

4.4 Officers must not request waivers:

After the fact (retrospectively)

Due to poor planning

To avoid or replace a written contract

Repeatedly for the same scope of requirements, especially to:
a. Retain a supplier beyond their contract end
b. Increase payments to a contractor beyond the tendered price, unless clear and justified grounds exist

4.5 If Officers misuse waivers in these ways, the Council may treat it as a potential breach of the CPRs. Officers must then explore alternative methods to meet contract requirements, which may include tolerating service delays or arranging interim solutions while running a compliant competitive process.

4.6 If Officers submit repeated waiver requests for similar requirements, the Monitoring Officer and Section 151 Officer will review and recommend if remedial action is needed.

4.7 Officers must follow the waiver process outlined in the Procurement Manual. They must demonstrate value for money and ensure the supplier delivers ongoing performance that benefits the Council and its residents.

4.8 Even when using a waiver, Officers must still:

Obtain all necessary authorisations

Prepare procurement documentation

Follow filing protocols

Conduct supplier due diligence

Assess conflicts of interest

Comply with internal governance

Secure a signed or sealed written contract

5. Process Compliance

5.1 Officers must run procurements and make award recommendations strictly according to the process outlined in the procurement documents.

5.2 Once the final tender submission deadline passes, Officers must not make any material changes to bid submissions.

5.3 Officers must award contracts based on the stated criteria and weightings. The authorised decision-maker must confirm that the evaluation followed the procedure, criteria, and

weightings as set out in the procurement documents before approving acceptance and award under the Contract Delegations.

6. Contract Formation

6.1 Officers must put a written contract in place for all goods, services, or works, regardless of the procurement process used:

- For contracts below £5,000 that involve minimal complexity or risk, Officers may use a Purchase Order containing the Council's minimum standard terms and conditions as the written contract.
- For contracts valued at £5,000 or more per annum, Officers must use a written contract in a format approved by the Director of Legal and Democratic Services or their deputy.

6.2 The Contract Manager must assess the financial and operational risks associated with the service and determine what protections—known as indemnities—the Council needs.

6.3 If financial risks exist, the Contract Manager must consider using a Bond, Parent Company Guarantee, or another financial guarantee. Legal and Financial Services must advise on this decision.

6.4 To determine the risks and insurance levels required, a Risk Management Assessment should occur. To manage operational risks, the Contract Manager must include appropriate tools in the contract, such as liquidated damages, service improvement mechanisms, and service credits. The Procurement Team can recommend suitable options.

6.5 Where regulations require it, Officers must include key performance indicators (KPIs) in the contract. As a minimum, all contracts should include KPIs for "on-time and in-full" delivery and "on budget" performance.

Insurance Requirements

6.6 Officers must ensure contracts include the following recommended insurance cover levels:

- £10 million for employer's liability insurance
- £10 million for public liability insurance
- £5 million for professional indemnity insurance (when required)
- £5 million for product liability insurance (when required)

6.7 If Officers propose lower insurance levels, they must confirm that the coverage is sufficient for the contract's risks and value by completing a risk management assessment. The responsible Officer under the Contract Delegations and the corporate Insurance Manager must authorise the reduced levels. Lower coverage is typically appropriate only for small businesses, low-risk contracts, or third sector organisations such as charities.

6.8 Officers should complete draft contracts, include the successful organisation's details, and ensure the contract is signed or sealed before the contract starts and certainly before raising any purchase order.

6.9 For contracts exceeding £500,000 per annum, Officers must seal the contract with the Council's common seal. Alternatively, if the Director of Legal and Democratic Services confirms that the Council's interests are adequately protected, an authorised Officer may sign the contract. Legal Services will advise whether sealing is appropriate for contracts below this threshold, and the authorising Officer must consider this advice before proceeding.

Letters of Intent

6.10 Officers must not issue Letters of Intent before or instead of a contract award unless the Director of Legal and Democratic Services confirms that doing so serves the Council's interests.

Contract Transparency

6.11 Officers must record all contracts (or agreements that meet the Local Government Transparency Code requirements) valued at £5,000 or more on the centrally held Contract Register as soon as they sign or seal the contract.

7. Prevention of Corrupt Activity

7.1 Officers must immediately terminate a contract and take steps to recover any losses if, after consulting the Director of Legal and Democratic Services, they confirm that the supplier—or someone acting on their behalf—has:

i. Offered, promised, or given money or another benefit to a councillor, staff member, or consultant in connection with the contract or procurement

ii. Requested or accepted money or another benefit to perform an improper act related to the contract

7.2 If a bidder engages in any of these actions during the procurement process or contract delivery, Officers must exclude them immediately, following consultation with the Director of Legal and Democratic Services. Where permitted by law, the Council may also ban the bidder from future tender opportunities for a defined period.

8. Contracts and Contract Management

8.1 Officers must identify a Contract Management resource during the planning stage of the procurement process.

8.2 This resource must join the procurement project team and help design the contract's management tools and performance indicators.

8.3 Officers must carry out proportionate contract management activities throughout the contract's delivery, based on the contract's value and risk to Council operations. The Procurement Manual provides guidance on these activities.

Early Contract Termination

8.4 Officers may terminate contracts due to a change in business need / the contract is no longer required, seeking Procurement or Legal advice as required.

8.5 If Officers believe there are grounds to terminate a contract early for breach of contract, poor performance, or the application of Mandatory or Discretionary Exclusion Grounds—they must contact the Procurement Team and Legal Services as early as possible.

8.6 Officers must follow internal governance procedures before formally terminating the contract.

8.7 Authorisation to terminate must follow the Scheme of Delegation outlined in Section 2 of these CPRs.

Assignment and Novation

8.8 Officers may only assign or novate a contract after obtaining consent from the Head of Procurement, validation from Legal Services, and approval from the relevant authority under the Scheme of Delegation (Section 2).

8.9 All three parties must confirm that the vetting process for any subcontractors or assigned staff meets the expectations established during the original procurement.

9. Grants

9.1 The Council does not classify grants as contracts unless they include substantial conditions. However, Officers must still ensure that grants deliver best value during both award and management. Officers must apply the principles of these CPRs and follow Council guidance on grant distribution, including the Contract Delegations for approval. This may apply to each individual grant or to the total value of a distribution programme.

9.2 When the Council receives a grant, Officers must ensure compliance with the Financial Regulations and meet all related obligations and expectations.

9.3 Officers must also follow the terms of received grants, including any required processes for awarding the grant to a supplier. In some cases, these processes may require a more competitive approach than the CPRs typically mandate.

Placement Standing Orders

(Appendix to Contract Procedure Rules)

1. Introduction

1.1 These Placement Standing Orders (PSOs) form an appendix to the Council's Contract Procedure Rules (CPRs). They apply specifically to the commissioning and procurement by the Council of individual placements, and packages of care for adults and children as per the Light Touch Regime[11] or for emergency accommodation purposes. For larger commissions, including pilot schemes, preventative services, universal services, or where arrangements like creation of frameworks (for example) can better suit the Council's delivery of statutory care/education and value for money requirements, the main CPRs must be followed in their entirety instead. They would not include Direct Payments or Individual Service Funds since in those circumstances, the agreement is no longer between the Council and the resultant organisation, but the individual instead.

1.2 As per the main CPRs, these PSOs provide a clear and consistent basis for procuring and awarding contracts lawfully, transparently, and fairly. They ensure compliance with legislation and corporate policies, safeguard public funds, and support strategic objectives through effective competition and governance. All officers must adhere to these rules without exception, as non-compliance may result in disciplinary action.

1.3 The Council has strategically commissioned arrangements to meet a wide range of needs of residents whilst delivering value for money. These arrangements include internal provision and block[12] provisions, which must always be considered first, especially where voids or retained places exist and they can meet the statutory care or education needs of the individual requiring support.

1.4 Where neither internal provision nor established commissioned contract arrangements can meet needs, arrangements may need to be made on an eligible individual. The PSOs will then apply. It is expected that the situations for when the PSOs will apply include, but are not limited to:

- General spot placements [13]– services commissioned to meet the needs of a single individual when no service is otherwise available or the individual has elected to use personal choice, made due to a reactive or specialist[14] requirement, including community support, residential and nursing support
- Emergency and urgent placements – where a commissioned arrangement has broken down or statutory need must be met immediately such as homelessness accommodation provision, immediate eviction, children taken into urgent care
- Hospital discharge (Acute, Community and/or Psychiatric) and/or package novation – contracts to sustain arrangements for individuals already established under a contract but were funded by an alternative body, or where timing of discharge can be hard to plan for due to reactive change in needs and readiness to leave high support provision
- Community discharge following prison release – contracts to support those needing statutory support to compliment services provided by probation or youth offending services
- Tribunal / court ruling – where a judge makes a determination based on law which the Local Authority is required to follow

1.5 These PSOs recognise the distinct legislative, operational, and governance frameworks that apply to social care and education placements for children, young people and adults, as well as accommodation needs for those at risk of homelessness. They maintain the Council's commitment to value for money, transparency, and good procurement practice. Alongside the legislation noted in the main CPRs, these PSOs factor in the following to their design: Children Act 1989, Children Act 2004, Children and Families Act 2014, Care Act 2014, Mental Capacity Act 2005, Health and Social Care Act 2008 (Regulated Activities) Regulations 2014, SEND Regulations 2014, SEN and Disability Code of Practice, Housing Act 1996, Homelessness Act 2002 and

[11] Procurement Act 2023 – Light Touch Regime

[12] an agreement where a commissioner pays a provider a fixed sum for a broadly defined service over a set period, guaranteeing payment for a volume of services whether fully used or not

[13] Overarching terms and conditions for a provider with individual placement agreements appended would be viewed as a framework agreement (or similar), and therefore would require to be procured in line with the CPRs for its aggregate value

[14] Referring to individuals with multiple, profound and complex difficulties and barriers to more standard provision, or especially unique circumstances eg needing decision made on a safeguarding basis such as those at risk of domestic violence

Homelessness Reduction Act 2017. This is not an exclusive list and may change from time to time, with the most contemporary legislation applying.

1.6 These PSOs must be read in conjunction with the CPRs, the Procurement Manual, and relevant statutory guidance. Where there is a conflict, the applicable legislation shall prevail.

2. Scheme of Delegation

2.1 In any procurement undertaken in line with the scope of these PSOs, approval to proceed to the next key stage of any process may only be given by an officer with sufficient authority as laid down in the Scheme of Delegation in this Section.

2.2 It must be noted that, for the purposes of UK procurement legislation and the CPRs, all contract values include VAT at the rate in force when the procurement exercise is undertaken. Contract values must. include VAT, but delegated authority levels apply at the value without VAT.

2.3 Calculation of placement and contract duration must align with procurement legislation. This means it will be calculated on the expected duration a person may require statutory support, which will be:

- their entire lifetime if it is expected they will need support for a significant time, or
- the duration of their Key Stage of education, or
- the duration until a different phase in their life where alternative provision should be reviewed as a best value alternative eg 5 years in extra care before a move into residential care.

Key Decisions

2.4 It is expected that very few, if any, ‘placements’ will be valued over the key decision threshold. Where placements of this value are identified, they are likely to be highly specialised to significant needs of an individual. Care or education would need to be implemented expediently, therefore authorisation remains within the decisions permitted by Officers, however they are reportable in an appropriately anonymised manner to the Lead Councillor for the portfolio and may be reported to Members on an annual cycle as part of the budget setting process to demonstrate suitable scrutiny of meeting both statutory needs and value for money of tax payers funds are achieved.

2.5 All placements falling under these PSOs must be reviewed as a single group of agreements by Commissioners with Finance, Legal, and Procurement colleagues on an annual basis. This collective review forms part of a strategic value-for-money assessment to ensure shared scrutiny of decision-making and to identify whether a more commercially sound arrangement, such as a block contract, should be commissioned. Typically this will occur as part of annual budget setting and/or uplift processes.

Lower Value Expenditure

2.6 Authorisation levels for provision below £5,000 in total regardless of their duration must align with the Directorate’s Scheme of Delegation. Use of internal provision, voids or established frameworks must have been exhausted first. In such instances, the manager authorising the expenditure may approve the transactions, whilst ensuring the requirements to aggregate spend and deliver improved value for money to the Council are delivered. For example, through more univerisal commissioned contracts.

2.6.1 Satisfactory and proportionate checks should be carried out on any organisation prior to purchase to ensure that the commissioned company meets requirements.

2.6.2 A Purchase Order and emails may suffice unless the relevant Director (or Deputy Director) requires a more formalised contract be in place to protect the Council’s interests and the Individual’s package.

2.7 Similarly, any Visa / Government Purchasing Cards should only be used for the circumstances as defined in the Financial regulations and never for any recurrent purchase where a contract would be a more appropriate arrangement, regardless of value.

Officer Approval Levels

2.8 Directors (and Deputy Directors) are permitted to approve placements up to £500,000 per annum, in consultation with their Executive Director. The form and shape of that consultation must align with main CPRs or any scheme of delegation formally drawn up within the Directorate to provide sufficient scrutiny of decisions eg outlined in the Terms of Reference for a specific Panel or Board.

2.9 For jointly funded placements with another organisation eg Health, the authorisation level only needs to align to the contribution made by the Council to that agreement, as opposed to the total value payable by all parties.

2.10 For jointly funded contracts due to the age of an individual during a contracts lifetime, where transition will occur between Children and Adult services, a Director of Children Services should consult with the receiving Director of Adult and Community Services before agreeing to the placement (or respective Deputy Directors).

Extensions and Variations

2.11 Deputy Director, Director and Budget Holders may authorise all variations and extensions of contracts, provided they confirm budget availability and satisfactory provider performance.

3. Procurement Procedures and Thresholds

3.1 While competitive tendering may not always be feasible for individual placements, officers must:

- Have a clearly defined Personal Budget or equivalent assessment undertaken to identify the usual rates for a service of this type.
- Evidence market testing or benchmarking where possible
- Use internal provision, approved frameworks or similar, or voids / retained placement spaces where available as first consideration at all times
- Demonstrate that the placement represents best value for money and meets assessed needs via approved forums or panels.
- Identify clearly if user choice is the deciding factor, and secure evidence to this effect in line with appropriate policies

3.2 The Council uses a Gateway process for procurements which has been adapted for these PSOs to enable Officers to deliver statutory obligations without causing delay:

i. Planning
ii. Gateway 1 – Approval to Procure
iii. Gateway 2 – Approval of Tender Pack
iv. Gateway 3 – Approval to Award

For transparency, equitable diligence is applied for PSO procurements however the gateways work differently for PSOs to standard CPR applications to meet the urgency of meeting statutory needs. Officers must follow the instructions as detailed in the Procurement Manual.

3.3 Any placement to be made under these PSOs must be notified to the Hub where the value is expected to be over £5,000 total value for the contract, whether calculated from day value, weekly, yearly etc. This should be in the form agreed by the Hub (which ensures that recording and publication on the Contracts Register at the end of the process is tracked and complied with).

3.4 Where a placement is made outside of an existing framework or similar, placement justification must be completed and retained in a format determined by the service, including:

- ‘Needs’ assessment summary in a format to meet relevant legislation eg Support Plan, Education Health Care Plan
- Provider selection rationale
- Cost comparison (if available) including details of non-responders / no capacity
- Panel approval reference

3.5 All placements not made through universal commissioning arrangements (sometimes referred to as Spot Placements) must be recorded individually in an anonymised fashion on the Council's contract register or equivalent system where the value exceeds £5,000. Publication is quarterly therefore data may be provided at this interval 2 weeks prior to publication date by the Procurement team.

3.6 The procedures to procure shall be:

Total Contract Value	**Procedure**
Below £5,000	One written quote
£5,000 to Public Procurement Threshold for Light Touch Services (£663,540 inc. VAT)	Seek at least three and obtain at least one written offer (via email or e-tendering portal).
Above Procurement Threshold	A compliant tendering procedure fully in line with legislation and regulations

3.7 Record must be maintained for both successful and unsuccessful bids in line with main CPRs, although may be retained against the individual case file for confidentiality purposes[15].

3.8 Regardless of process selected and followed, the Procurement Lead must ensure compliant publication of all relevant notices required under law, with equivalent obligations on the contract manager following award for the lifetime of the agreement.

4. Compliance with Procurement Process

4.1 Before any procurement process proceeds to the evaluation stage, all bids must be checked for compliance. Submissions not in compliance with the written requirements outlined by the Council must be rejected as non-compliant. For further specific circumstances, the Procurement Manual should be referred to before any action is taken

4.2 Similarly, any bid submitted which appear to contain errors, discrepencies, anomolies or abnormalities must be checked for compliance and adequacy. If it is not resolveable to the Procuring Officer's satisfaction that the bid is feasible, the bid must be rejected. Guidance is provided in the Procurement Manual.

4.3 Relevant insurances must be verified before placements commence in line with main CPR requirements, as well as validation of other due diligence checks required by the service to be completed eg robust safeguarding, Health & Safety, and data management practices. Where this review has been undertaken as part of general annual monitoring, this shall suffice unless the Director (or Deputy Director) requires a contemporaneous check. Similarly, where verification has been undertaken by another authority, they may provide this information for the Council's consideration.

4.4 As well as the expectations of the main CPRs, verification that a provider has satisfactory controls to prevent corrupt activities ,eg modern slavery, fraud; must be obtained before entering a contractual agreement with them. As in section 7, where this review has been undertaken as part of general annual monitoring, this shall suffice unless the Director (or Deputy Director) requires a contemporaneous check.

5. Eligibility of Suppliers

5.1 As part of the tender compliance check and before any submission is assessed, Officers must check whether any supplier or their Connected Persons or Associated Persons or subcontractors are eligible bidders according to both legislative requirements or corporate expectations as outlined in the procurement documentation.

[15] Minimum documentation for each placement includes the Hub notification; Information as per 3.4 of PSOs; Any personal preference statements; Conflict of Interest forms; Evidence of award decision and letters to any unsuccessful interested party; copy of countersigned contract.

6. Placement Acceptance and Award

6.1 Contracts must be awarded in accordance with any stated criteria and any weightings. Acceptance and award must only be authorised in accordance with the Scheme of Delegation once the decision maker is satisfied that bids have been evaluated in accordance with the procedure, criteria and weightings as stated in the procurement documents.

6.2 A written contract is required for all placements, regardless of the procurement process employed. For placements below £5,000, the written contract may take the form of a Purchase Order. For placements of £5,000 and above, the contract must be in writing, in a form approved by Legal Services.

6.3 Contract formation with the successful organisation's details must be completed as required by the AD of Legal and Democratic Services in line with the Scheme of Delegation prior to raising of any purchase order.

6.4 All contracts (or other agreement meeting the requirements of the Local Government Transparency Code) with a value in excess of £5000 value shall be entered in the centrally-held Contract Register.

7. Risks and Mitigations

7.1 All placement decisions must be recorded and auditable, with clear evidence of panel approval and rationale for provider selection, plus a Conflict of Interest assessment. The Conflict of Interest assessment may instead be the annual Declaration of Interest, and where an Interest exists, that person must remove themselves from any decision making process involving the linked company.

7.2 Risks should all be formally identified and recorded to allow good and transparent decision making by completing a risk management assessment. In the instance of operational risks, the Contract Manager must consider the inclusion of management tools within the contract to mitigate these risks as far as possible including but not exclusive to liquidated damages, service improvement mechanisms and service credits.

7.4 When placements are inherited (for example, through novation when an individual moves their usual residence), the checks outlined in Section 7 must be completed as soon as reasonably possible.

8. Delivering Efficiencies

8.1 All placement activity must be reviewed annually as part of the Medium-Term Financial Planning (MTFP) process or Uplift / Inflation Appeals process.

8.2 This review will:

- Assess spend trends and forecast demand
- Identify opportunities for improved commissioning or aggregation
- Ensure continued alignment with statutory duties and best value

8.3 Advice must be sought from Procurement on commercial and aggregation matters, Legal where legal implications are notes and Finance where budgetary implications have been noted.

9. Early Contract Termination

9.1 Where Officers believe that there may be grounds for early termination for breach of contract, poor performance, or the Supplier or their Associated Persons or their subcontractors have become excludable suppliers on Mandatory or Discretionary Exclusion Grounds, Officers must contact the Procurement Hub and Legal Services at the earliest possible opportunity. Officers must not proceed with any early termination for these reasons until they have consulted with both the Procurement Hub and Legal Services. This will include completion of an Early Termination Report which must identify lessons learnt and mitigations to apply to any subsequent replacement contract/s.

9.2 Authorisation to terminate an agreement early will be in line with the Scheme of Delegation as outlined in Section 2 of these PSOs.

9.3 Termination of contracts due to the service no longer being required eg death or user choice, however, do not need to follow 9.1 as above. Instead, record of the termination of these types must be recorded on the person's case file on the management system, and should be notified to Head of Commissioning.

10. Assignment and Novation

10.1 Assignment or novation of contracts shall only be permitted with the prior consent of the Head of Procurement, validation by Legal and relevant authority under the PSO Scheme of Delegation (Section 2), who must all be satisfied that an effective vetting procedure of assignees or subcontractors has been implemented in line with the initial procurement expectations.

Officer Employment Procedure Rules

Adopted by Council, 22 May 2019

The Officer Employment Procedure Rules incorporate prescribed Standing Orders relating to staff as required by the Local Authorities (Standing Orders) Regulations 1993, as amended by the Local Authorities (Standing Orders) (England) Regulations 2001; the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014; and the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015. Part IV of Schedule 1 to the 2014 Regulations sets out provisions that must be incorporated into the Standing Orders of an authority operating a committee system. They have been incorporated into the Rules below, in plainer English.

1. Recruitment and Appointment

(a) Declarations

The Council requires any candidate for appointment as an officer to state on the application form whether they are a partner, spouse or relative of an existing Councillor or officer of the Council.

(b) Seeking Support for Appointment.

The Council advises all applicants for appointment as an officer that canvassing support from any Councillor or employee of the authority, or giving false information, or omitting to give information, will render the person liable for dismissal if appointed.

No Councillor may seek support for any person for any appointment with the Council.

2. Appointment, Dismissal and Disciplinary Action

2.1 The appointment and dismissal of, and taking disciplinary action against, a member of staff of the Council shall be carried out by the Chief Executive as the Head of the Council's Paid Service or by an officer nominated by him/her. A record of officers nominated by the Chief Executive shall be maintained by the Director of Human Resources and Organisational Development.

2.2 Paragraph 2.1 shall not apply to the appointment or dismissal of, or disciplinary action against, an officer holding a post described in Sections 2 and 9 of the Local Government & Housing Act 1989. This includes the following:-

(a) the Head of the Authority's Paid Service (Chief Executive)
(b) the Executive Director of Communities & Adult Social Care, Executive Director of Children's Services and the Executive Director of Economic Growth and Neighbourhood Services
(c) the Executive Director of Resources (Chief Finance Officer)
(d) the Monitoring Officer (Director of Legal & Democratic Services)
(e) persons who, as respects all or most of their duties, report directly to or are directly accountable to the Head of the Council's Paid Service
(f) persons who, as respects all or most of their duties, report directly to or are accountable to any of the posts listed above (other than staff whose duties are of a clerical or support nature)
(g) persons who, as respects all or most of their duties report directly or are directly accountable to the Council or a Committee or Sub-Committee of the Council
(h) assistants for political groups.

2.3 Any appointment or dismissal of an officer designated as the Head of the Council's Paid Service, shall be approved by the full Council before any offer of appointment or notice of dismissal is given to the person concerned.

2.4 Any dismissal of an officer designated as the Chief Finance Officer or Monitoring Officer, shall be approved by the full Council before any notice of dismissal is given to the person concerned.

2.5 Where the Council appoints a Committee or a Sub-Committee to carry out the function of appointing or dismissing any officer to or from the positions referred to in paragraph 2.2 above, the Committee or Sub-Committee shall include at least one Lead Councillor.

3. Appointment of Chief Officers - Process

3.1 Where the Council wishes to appoint a Chief Officer as defined by statute, and wishes to seek applicants from outside existing officers of the Council, the following procedure will apply:

(a) the appointment will be co-ordinated and made by the Personnel Committee, or by any other Committee or Sub-Committee authorised by full Council or the Personnel Committee to make the appointment;

(b) the post will be advertised publicly, to bring it to the attention of people who are qualified to apply for it;

(c) a job description and person specification will be produced, and sent to all applicants for the job, specifying:

(i) the duties of the post
(ii) the qualifications and qualities being sought by the Council

(d) the Personnel Committee will either:

(a) interview all qualified applicants for the post, or
(b) select a short-list of qualified applicants in accordance with the Council's recruitment and selection policy and procedures.

(e) If no suitably qualified person applies for the post, any re-advertisement will comply with paragraph (3) above.

3.2 The Personnel Committee has delegated powers to appoint Executive Directors, the Monitoring Officer, the Section 151 Officer and posts falling within the definition of Deputy Chief Officer in Section 2(1) of the Local Government & Housing Act 1989.

4. Disciplinary Proceedings against the Head of Paid Service, Monitoring Officer and Chief Finance Officer

4.1 No disciplinary action as defined by Regulation 2 of the Local Authorities (Standing Orders) (England) Regulations 2001 may be taken against the Head of the Authority's Paid Service, the Monitoring Officer or the Chief Finance Officer in cases of alleged misconduct, unless the procedure set out in Schedule 3 of the Local Authorities (Standing Orders) (England) Regulations 2001 as amended by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015, as reflected in the model disciplinary procedure rules incorporated into the Joint Negotiating Committee for Local Authority Chief Executives National Salary Framework and Conditions of Service Handbook (updated 13 October 2016) as may be updated from time to time has been complied with.

4.2 Such disciplinary action means any action occasioned by alleged misconduct which, if proved, would be recorded under normal Council procedures on the officer's personal file, and includes any proposal for dismissal for reasons other than redundancy, permanent ill-health or infirmity of mind or body. It does not include failure to renew a fixed-term contract of employment unless the authority has undertaken to review such a contract.

4.3 The relevant officer may be suspended whilst the investigation is taking place, and if so, the suspension will be on full pay and will last for no longer than two months.

4.4 The Council establishes an Investigating and Disciplinary Committee (IDC) to deal with disciplinary matters relating to the 'relevant officers' and an Appeals Committee to deal with disciplinary matters short of dismissal relating to the 'relevant officers'.

4.5 Dismissal of the Head of the Authority's Paid Service, the Monitoring Officer or the Chief Finance Officer may only be exercised by the full Council.

4.6 Where the IDC has recommended dismissal of a 'relevant officer', the Council must invite any Independent Person appointed under the provisions of the Localism Act 2011 section 28(7) who has been appointed by the Council (or, where there are fewer than two such persons, such Independent Persons as have been appointed by another authority or authorities as the Council considers appropriate), to be considered for appointment to an Independent Panel with a view to appointing at least two such persons to the Panel.

4.7 The Council must appoint to the Panel such relevant Independent Persons who have accepted an invitation issued in accordance with paragraph (ii) in accordance with the following priority order:-

(a) An Independent Person who has been appointed by the Council and who is a local government elector within the authority's area;

(b) Any other Independent Person who has been appointed by the Council; and;

(c) An Independent Person who has been appointed by another council or councils.

4.8 The Council is not required to appoint more than two relevant Independent Persons but may do so.

4.9 The Council must appoint any Panel at least 20 working days before the meeting of the Council to consider whether or not to approve a proposal to dismiss a relevant officer.

4.10 Before the taking of a vote at the meeting of the Council to consider whether or not to approve a proposal to dismiss a relevant officer the authority must take into account in particular:

(a) Any advice, views or recommendations of the Panel

(b) The conclusions of any investigation into the proposed dismissal; and

(c) Any representations from the relevant officer.

4.11 The Personnel Committee has delegated powers to dismiss Executive Directors (provided they are not a statutory officer as described in 4.1 above) and posts falling within the definition of Deputy Chief Officer in Section 2(1) of the Local Government & Housing Act 1989.

5. Appeal

5.1 Nothing in this Standing Order shall prevent a Member from serving as a member of any Committee or Sub-Committee established by the Council to consider an appeal by:

(i) a person against any decision relating to the appointment of that person as a member of staff of the authority, or
(ii) a member of staff of the authority against any decision relating to the dismissal of, or taking disciplinary action against, that member of staff.

Part 5 - Codes and Protocols

Councillor Code of Conduct

Adopted by Council 18 October 2022

Introduction

All councils are required to have a local Councillor Code of Conduct.

The Code will be reviewed when necessary to ensure it continues to be fit for purpose, incorporating advances in technology, social media and changes in legislation.

Definitions

For the purposes of this Code of Conduct, a "councillor" means a member or co-opted member of a local authority or a directly elected mayor. A "co-opted member" is defined in the Localism Act 2011 Section 27(4) as "a person who is not a member of the authority but who

a) is a member of any committee or sub-committee of the authority, or;

b) is a member of, and represents the authority on, any joint committee or joint sub- committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee".

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect
- I lead by example and act in a way that secures public confidence in the role of councillor

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

The Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from the Monitoring Officer on any matters that may relate to the Code of Conduct.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's member officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the Council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I will seek advice from the Monitoring Officer before releasing any paper which is marked, or could reasonable be assumed to be, confidential or exempt.

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the Council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local authority or authorising their use by others:

- **act in accordance with the local authority's requirements; and**
- **ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects

you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in Table 1, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor:

10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.

10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £25 within 28 days of its receipt.

10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendix A

The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B

Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in Table 1 (Disclosable Pecuniary Interests) which are as described in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

You should also register details of your other personal interests which fall within the categories set out in Table 2 (Other Registerable Interests).

"**Disclosable Pecuniary Interest"** means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.

2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence orintimidation.

3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniaryinterest.

5. [Not applicable to councils with a committee system of governance]

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in Table 2), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which directly relates to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

8. Where a matter arises at a meeting which affects –

    a. your own financial interest or well-being;
    b. a financial interest or well-being of a relative or close associate; or
    c. a financial interest or wellbeing of a body included under Other Registerable Interests as set out in Table 2

    you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter (referred to in paragraph 8 above) affects the financial interest or well-being:

   a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
   b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

   You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

   If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. [Not applicable to councils with a committee system of governance]

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — a) under which goods or services are to be provided or works are to be executed; and b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer.
Corporate tenancies	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either— i. the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or ii. if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the

	councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* ‘director’ includes a member of the committee of management of an industrial and provident society.

* ‘securities’ means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registerable Interests

You must register as an Other Registerable Interest:

a) any unpaid directorships
b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
c) any body
   (i) exercising functions of a public nature
   (ii) directed to charitable purposes or
   (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

   of which you are a member or in a position of general control or management.

Officers' Code of Conduct

EMPLOYEES' CODE OF CONDUCT

APPROVED BY PERSONNEL COMMITTEE – 19 November 2020

CONTENTS

This document has two sections:

SECTION 1: The purpose, scope and principles of the code

This sets out the reasons for the code, describes who is covered by it and the principles contained in it

SECTION 2: This sets out the areas of conduct that must be observed:

Conduct during working hours	Para 1
Political neutrality	Para 2
Personal Relationships	Para 3
Recruitment	Para 4
Use of Information	Para 5
Confidentiality	Para 6
Hospitality	Para 7
Gifts	Para 8
Bribery & Corruption	Para 9
Dressing Appropriately	Para 10
Use of Council property, facilities and equipment	Para 11
Using the services of people who deal with the Council	Para 12
Conduct outside working hours	Para 13
Employment outside the Council	Para 14
Personal Interests	Para 15
Breach of the code	Para 16

SECTION 1: PURPOSE, SCOPE AND PRINCIPLES

PURPOSE

- To meet requirements specified by the National Conditions of Service for all employee groups.
- To specify and explain the standards the Council has set, therefore protecting employees from misunderstanding or criticism.
- To help employees maintain fully acceptable standards of conduct set by the Council.
- To ensure that the Council maintains a deserved reputation for the high standards of its activities and the integrity of its employees at all levels.

WHO IS COVERED BY THE CODE OF CONDUCT?

The code of conduct applies to all those working for Reading Borough Council, including those on permanent, temporary or part-time contracts, job sharers, and employees on non-standard terms of employment**.** Relevant parts of the code should be included in the specifications for consultants and contractors, and drawn to the attention of voluntary workers on Council projects.

Some employees may already have specific requirements relating to conduct included in their contracts or standard conditions of employment. Where contract conditions and requirements of individual contracts are more specific, due to the nature of the work, they will override the provisions of this Code., where individual contracts are more specific due to the nature of the work.

In addition:

a) The Code may be supplemented within services/directorates by specific provisions or requirements, for example, a professional Code of Conduct. Where this is the case, proposed codes and rules should follow proper process by consulting through the Directorate Joint Forum.
b) Individual services and professions may have their own Codes of Conduct and/or ethics. Where this is the case, they complement, rather than replace, this Code of Conduct.
c) References to “the Council” throughout this document mean Reading Borough Council.
d) This Code has been agreed between the Council and recognised trades unions.

PRINCIPLES

This Code is based on and consistent with the following seven principles which are set out in Section 28 of the Localism Act 2011, and which were originally set out by the Nolan Committee on Standards in Public Life:

a) **Selflessness**
Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits.

b) **Integrity**
Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

c) **Objectivity**
In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

d) **Accountability**
Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

e) **Openness**
Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

f) **Honesty**
Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

g) **Leadership**
Holders of public office should promote and support these principles by leadership and example.

The various sections in section 2 of this document set out how the general principles are applied to different aspects of conduct. **The Code cannot describe every possible circumstance that may occur.**

Employees and managers need to exercise good sense and judgement in deciding whether specific situations fall within the Code or not. For employees, a key guideline is:

WHEN IN DOUBT AS TO WHETHER THE CODE APPLIES – ASK YOUR MANAGER

SECTION 2: CODE OF CONDUCT FOR EMPLOYEES

1. Conduct during working hours

You have a responsibility to act in accordance with the Council's equal opportunities policies, statutory guidance and best practice. Service decisions and activities must not favour one person or section of the community on any grounds which would be in contravention of equal opportunity principles.

All forms of unlawful discrimination, victimisation, bullying and harassment, in any form, is unacceptable and will not be tolerated. Allegations will be investigated and dealt with under the Council's Disciplinary Policy where necessary.

2. Political Neutrality

You serve the Council as a whole. This means that all Councillors are served equally, irrespective of their political group or affiliation and you must ensure that the individual rights of all Councillors are respected.

You must not allow your own personal or political opinions to interfere with your work or influence the advice you give to Councillors, the public or other staff.

If your job involves you giving advice to political groups, you must do so in ways which do not compromise your political neutrality.

If your post is designated a "politically restricted post" under the provisions of the Local Government & Housing Act 1989, certain additional rules will apply to you and you should have been informed of these rules when you are appointed. It is your responsibility to acquaint yourself with the rules, if they apply to you.

If your post becomes politically restricted during the course of your employment, then you will be notified.

Posts affected by these rules (politically restricted posts) fall into the following categories:

a) Certain specified posts, such as the Head of the Paid Service, the Monitoring Officer and all Chief Officers and their Deputies

b) Posts that, by the nature of the work involved, are deemed to be "sensitive". For example:

   (i) posts where the employee regularly advises members, committees or sub-committees or any joint committee on which the authority are represented, and

   (ii) posts where the employee regularly speaks on behalf of the authority to journalists and broadcasters.

Exemptions to this Act (ie not politically restricted) are:

(i) posts reporting directly to the Chief Executive where the duties of the postholder are solely secretarial or clerical.

(ii) Head Teachers, Principals of schools or colleges, or other educational establishments maintained/assisted by the local LEA. Any person holding the post of Teacher or Lecturer in any such educational establishment will not be politically restricted.

If you are unsure if your post falls within the politically restricted categories, or whether your post is exempt from the political restrictions, you should speak to your manager or the Director of Legal & Democratic Services.

3. Personal Relationships

Personal relationships may develop with colleagues, Councillors, contractors, customers and clients. You should not allow a personal relationship to place you in a position where you are unable to carry out the duties of your job in a proper and impartial manner. Certain Directorates have particular rules regarding personal relationships (eg, see these personal relationship guidelines), and you should ensure that you abide by these.

You should inform your manager if you have, or develop, a close personal relationship with another employee which could be considered, by colleagues or others, to have an impact on how you conduct yourself at work. The information will be treated with confidentiality.

You must maintain a professional working relationship with colleagues, Councillors, contractors, customers and clients.

Elected Councillors are subject to their own statutory Code of Conduct which addresses relationships between Councillors and employees. ①[16]

4. Recruitment

If a relative or close personal friend is a candidate for a post that you are involved in the recruitment for, you must discuss this with your manager. It may be appropriate for you to withdraw from the process, if your manager considers this appropriate and it is practicable for you to do so.

You must follow the Council's Recruitment and Selection Policy and ensure fairness is applied at all stages.

5. Use of Information

The law requires that certain types of information must be available to members, auditors, government departments, service users and the public. Your manager must identify, and make you aware of this information at induction, including outlining when additional information is relevant.

Information you gather while working for the Council must not be used for personal or commercial gain, or be otherwise misused.

You must not destroy, alter or falsify any document or record, whether for personal gain or to cover up, mislead or deceive other people.

You must comply with the Council's Data Protection Policy.

You must not pass on information to anyone not entitled to receive it, nor post it on any public forum or any social media platform.

You must comply with the Council's Social Media Policy.

You must not pass on to the public or press, information from any Committee or meeting, from which they have been excluded.

You must not deal directly with the press or media, or make any public statement, unless you have been authorised to act as an official spokesperson.

[16] (① The Local Government and Housing Act 1989 has given statutory status to the National Code of Local Government Conduct (for the guidance of councillors of local authorities)).

6. Confidentiality

You may be subject to “restrictive covenants”, which are intended to protect the Council’s confidential information, which restrict you from disclosing or using such information during and after leaving employment.

7. Hospitality

In certain circumstances, receiving hospitality may be acceptable. Where that is the case, you must discuss it with your manager and the details – the type of hospitality offered and the person/organisation offering it - should be recorded in a register maintained by your directorate.

Examples of generally acceptable hospitality are:

(i) Invitations to attend events where you represent the Council

(ii) Hospitality offered by other public sector organisations or recognised civic or government bodies that have links with the Council

(iii) A working lunch or other meal which allows the work or discussion to continue during the course of the day

(iv) An event where the Council should be seen to be represented.

(v) Hospitality to mark the completion of a transaction or piece of work provided it has been successfully concluded and the nature of the hospitality is reasonable

(vi) Where the Council is a regular client of an organisation or firm and the hospitality is being offered to a number of clients in the ordinary course of the business.

Examples of hospitality which should be declined include:

(i) Offers of hotel accommodation or other form of holiday

(ii) Free use of other forms of leisure, sports or entertainment facilities or equipment

8. Gifts

If you are offered a gift you should consider whether it is one of “low” value (£25 as at 2020). You must use common sense and tell your manager, who should decide if the gift is acceptable or should be declined. It must be recorded in a register maintained by your directorate.

Examples of generally acceptable gifts:

(i) Small gifts that have been sent or given as an advertisement for a particular firm, for example, appropriate items for use in the office

(ii) Small gifts such as a bottle of wine or a box of chocolates that have been given at the end of work on a project. These gifts should be made generally available to those who have worked on the project

(iii) Christmas boxes – in a number of jobs, for example, refuse collection, it has been traditional for members of the public to give the team concerned gifts with varying financial values. As a normal and well-established practice, acceptance of the Christmas gift, on behalf of the team concerned, is acceptable, provided:

- The gift is not solicited or requested either directly or indirectly
- There is no suggestion that decisions concerning the service, or the quality of the service provided will change in any way

- Any gift that is of such a value that falls outside a normal range is notified to your manager

Gifts should be declined if it is from anyone who is, or may be in the foreseeable future, tendering for any contract with the Council, seeking planning permission, seeking employment or in dispute with the Council.

9. Bribery & Corruption

The Bribery Act 2010 makes it an offence to seek, accept or agree to accept a financial or other advantage as an inducement or reward to perform a function improperly. In simple terms, for public employees, agency and contracted staff it is a crime to seek or accept a financial or other advantage in return for making a decision, granting an award or performing any other public function, regardless of what decision is made. The maximum sentence for a bribery offence is 10 years imprisonment.

The Bribery Act 2010 also makes it an offence for employees to offer or pay bribes and both the individual and the organisation may be prosecuted.

The Local Government Act 1972 makes it an offence for employees to accept any fee or reward (including gifts) for their employment other than their proper pay, and on conviction employees are liable to be fined.

10. Dressing Appropriately

a) You are expected to dress appropriately for the role for which you are employed. You must be mindful of the impact your appearance will have on the client/customer relationship.

b) If you are required to wear a uniform you must conform to that requirement.

c) You are required to comply with any Health & Safety clothing requirements.

d) If you have personal, cultural or religious objections to these requirements, you should discuss them with your Head of Service who will consider each case on its merits and take appropriate action.

11. Use of Council property, facilities and equipment

a) Be mindful that you are using Council assets, not your own personal property

b) You may make phone calls within reason and within your own time

c) You may access the Council's internet connection for personal use, but only within your own time and as stated in the Council's ICT rules

d) Council vehicles must be used for authorised purposes only

e) You must return any Council property if you stop working for the Council

12. Using the services of people who deal with the Council

You are not prohibited from personally obtaining goods and services from organisations that deal with the Council. However, you must make sure that you are not being offered preferential rates in an attempt to influence the Council to use that organisation. As far as possible, make sure that the price you are quoted is a competitive one.

If you are authorised to award or recommend the award of contracts to an individual or an organisation, you should try to avoid using that individual or organisation for the purchase of goods or services for yourself, unless it can be demonstrated that there was little or no alternative. This should be declared to your manager if this happens.

This does not affect the purchase of goods or services at discount rates negotiated through a scheme endorsed by the Council or a Trades Union.

13. Conduct outside working hours

In general, what you do outside work is your own concern. However, you must avoid doing anything which may result in damaging the Council's reputation. Some actions, including serious misconduct or criminal offences can lead to disciplinary action and may lead to dismissal.

Remember that if you are expected to wear a uniform as part of your job, and wear it outside working hours, you can be identified as a Council employee and you must act appropriately while wearing the uniform.

For certain professions, if it is considered that you have brought the profession into disrepute, you may be struck off the professional register and no longer able to practise.

14. Employment outside the Council

If you take on, or consider taking on, paid or unpaid work in addition to your work at the Council, you must be certain that it does not have an adverse effect on your work for the Council and does not conflict with the interests of the Council.

You must declare any personal interest or activities that may be perceived by others as being potentially in conflict with the Council's interests.

You should bring this to the attention of your manager to check that it is acceptable for you to do it. In particular, you must ensure that you comply with the following conditions:

(i) You must not undertake private work or business (including private work for your line manager) during your Council working hours, on Council premises or using Council equipment.

(ii) You must not take on work that will adversely affect the way in which you perform your duties for the Council. You must consider the Working Time Regulations.

(iii) You should take care when undertaking paid or unpaid private work that involves official contact with the Council (for example, work for relatives or friends that needs planning permission). You must discuss this with your manager.

(iv) You must not undertake paid or unpaid private work for any person or organisation if you allocate business to them as part of your duties at the Council, or if you are in a position to award contracts or commission work, or influence the awarding of contracts or commissioning of work, or grant approval or permission.

(v) You must not be involved in awarding, monitoring or managing contracts in which partners, spouses, relative or friends are employed.

(vi) If you are invited to speak at a conference, in your position as an officer of the Council, your fees for this would normally be paid to the Council.

There may be situations where it may be appropriate to carry out some form of **unpaid** "outside work", academic research or other task in the workplace. Generally this would only be appropriate out of work time (eg during lunch breaks or outside normal work hours) and in no way for personal gain.

15. Personal Interests

It is accepted that you will have outside interests and will support, or belong to, different groups or organisations, whether this is paid or unpaid. You should declare to your manager your involvement or interest (financial and non-financial interests) **if and when** your outside activities, or the activities of the group you belong to, could conflict with the Council's interests or Council policy, or with your duties and responsibilities as an employee.

You should declare to the Council's Monitoring Officer (Director of Legal and Democratic Services) membership of any organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about rules or membership or conduct (for example, Freemasons). The Monitoring Officer will keep a confidential record of such declarations.

16. Breach of the code

Failure to comply with the Code of Conduct could lead to criticism of the Council or you. In such cases, the Council's Disciplinary Procedure would apply.

If you have any concerns about the application of any part of this code to your own circumstances you should discuss it, as soon as possible, with your manager.

Planning Code of Conduct

PLANNING CODE OF CONDUCT FOR COUNCILLORS

ADOPTED BY STANDARDS COMMITTEE, 22 APRIL 2025

1. Introduction

1.1 **The aim of this code of good practice:** to ensure that in the planning process there are no grounds for suggesting that a decision has been biased, partial or not well founded in any way.

1.2 One of the key purposes of the planning system is to regulate the development and use of land in the public interest**. Your role as a Member of the Planning Authority is** to make planning decisions openly, impartially, with sound judgement and for justifiable reasons. You are also a democratically accountable decision-taker who had been elected to provide and pursue policies. You are entitled to be predisposed to make planning decisions in accordance with your political views and policies **provided** that you have considered all material considerations and have given fair consideration to relevant points raised. For more information on material considerations, please see the Guidelines for Determining Planning Applications at Appendix A.

1.3 **When the Code of Good Practice applies:** this code applies to Members at all times when involving themselves in the planning process. (This includes when taking part in the decision making meetings of the Council in exercising the functions of the Planning Authority or when involved on less formal occasions, such as meetings with officers or the public and consultative meetings). It applies as equally to planning enforcement matters or site-specific policy issues as it does to planning applications.

1.4 **If you have any doubts about the application of this Code to your own circumstances you should seek advice early, from the Monitoring Officer or their team, and preferably well before any meeting takes place**.

2. Relationship to the Member's Code of Conduct

2.1 **Do** apply the rules in the Authority's Code of Conduct first, as these must be always be complied with. This includes both the rules on disclosable pecuniary interests (and other interests if included in your authority's code) and the general rules giving effect to the seven principles of public life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

2.2 **Do** then apply the rules in this Members' Planning Code, which seek to explain and supplement the Members' Code of Conduct for the purposes of planning and development control. If you do not abide by this Members' Planning Code, you may put:

- the Council at risk of proceedings on the legality or maladministration of the related decision; and
- yourself at risk of either being named in a report made to the Standards Committee or Council or, if the failure is also likely to be a breach of the Localism Act 2011, a complaint being made to the police to consider criminal proceedings.

2.3 **Do** be aware that, like the Authority's Code of Conduct, this Planning Code is a reflection and summary of the law on decision making and not a direct replication of it. If in doubt, seek the advice of your Monitoring Officer or their staff advising at the meeting.

3. Development Proposals and Interests under the Members' Code

3.1 **Do** disclose the existence and nature of your interest as required by your members Code of Conduct

3.2 **Do take into account when approaching a decision that** the Principle of integrity is defined, by the Committee on Standards in Public Life in 2013, in terms that "*Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to*

influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. ***They must declare and resolve any interests and relationships***". It is therefore advisable that you:

- **Don't** seek or accept any preferential treatment, or place yourself in a position that could lead the public to think you are receiving preferential treatment, because of your position as a councillor. This would include, where you have a disclosable or other personal conflict of interest in a proposal, using your position to discuss that proposal with officers or Members when other members of the public would not have the same opportunity to do so.
- **Do** note that you are not prevented from seeking to explain and justify a proposal in which you may have a conflict of interest to an appropriate officer, in person or in writing, but that the Members' Code of Conduct may place additional limitations on you in representing that proposal
- **Do** notify the Monitoring Officer in writing where it is clear to you that you have a disclosable pecuniary interest or other personal conflict of interest and note that:
  - you should send the notification no later than submission of that application where you can;
  - the proposal will always be reported to the Committee as a main item and not dealt with by officers under delegated powers;
  - you must not get involved in the processing of the application; and
  - it is advisable that you employ an agent to act on your behalf in respect of the proposal when dealing with officers and in public speaking at Committee.

4. Fettering Discretion in the Planning Process

(natural justice, predisposition and predetermination)

4.1 **Don't** fetter your discretion and therefore your ability to participate in planning decision making at this Council by approaching the decision with a closed mind. Fettering your discretion in this way and taking part in the decision will put the Council at risk of a finding of maladministration and of legal proceedings on the grounds of bias, pre-determination or a failure to take into account all of the factors enabling the proposal to be considered on its merits.

4.2 **Do** be aware that in your role as an elected Member you are entitled, and are often expected, to have expressed views on planning issues and that these comments have an added measure of protection under the law. Your prior observations, apparent favouring or objections in respect of a particular outcome will not on their own normally suffice to make a decision unlawful and have it quashed, but you must never come to make a decision with a closed mind.

4.3 **Do** keep at the front of your mind that, when you come to make the decision, you

- must keep an open mind and hear all of the evidence before you, both the officers' presentation of the facts and their advice and the arguments from all sides;
- are not required to cast aside views on planning policy you held when seeking election or when otherwise acting as a Member, in giving fair consideration to points raised;
- are only entitled to take account a material consideration and must disregard considerations irrelevant to the question and legal context at hand; and
- are to come to a decision after giving what you feel is the right weight to those material considerations.

4.4 **Do** be aware that you can be biased where the Council is the landowner, developer or applicant and you have acted as, or could be perceived as being, a chief advocate for the proposal. (This is more than a matter of membership of both the proposing and planning determination committees, but that through your significant personal involvement in preparing or advocating the proposal you will be, or perceived by the public as being, no longer able to act impartially or to determine the proposal purely on its planning merits.)

4.5 **Do** consider yourself able to take part in the debate on a proposal when acting as part of a consultee body (where you are also a member of the parish council, for example, or both a district/borough and county councillor), provided:

- the proposal does not substantially affect the well-being or financial standing of the consultee body;
- you make it clear to the consultee body that:
  - your views are expressed on the limited information before you only;
  - you must reserve judgement and the independence to make up your own mind on each separate proposal, based on your overriding duty to the whole community and not just to the people in that area, ward or parish, as and when it comes before the Committee and you hear all of the relevant information; and
  - you will not in any way commit yourself as to how you or others may vote when the proposal comes before the Committee.

4.6 **Do** explain that you do not intend to speak and vote as a member of the Committee because you will be perceived as having judged (or you reserve the right to judge) the matter elsewhere, so that this may be recorded in the minutes. (*Use the disclosure form provided for disclosing interests.)*

4.7 **Do** take the opportunity to exercise your separate speaking rights as a Ward/Local Member (*where this is granted by the authority's standing orders or by the consent from the Chair and Committee*) where you have represented your views or those of local electors and fettered your discretion, but do not have a disclosable or other personal conflict of interest. Where you do:

- advise the proper officer or Chair that you wish to speak in this capacity before commencement of the item;
- remove yourself from the seating area for members of the Committee for the duration of that item; and
- ensure that your actions are recorded in accordance with the Authority's committee procedures.

4.8 **Do** refer those who approach you for planning, procedural or technical advice to officers.

4.9 **Don't** agree to any formal meeting with applicants, developers or groups of objectors where you can avoid it. Where you feel that a formal meeting would be useful in clarifying the issues, you should seek to arrange that meeting yourself through a request to the Planning & Building Control Manager to organise it. The officer(s) will then ensure that those present at the meeting are advised from the start that the discussions will not bind the authority to any particular course of action, that the meeting is properly recorded on the application file and the record of the meeting is disclosed when the application is considered by the Committee.

5. Contact with Applicants, Developers and Objectors

5.1 **Do** otherwise:

- follow the rules on lobbying;
- consider whether or not it would be prudent in the circumstances to make notes when contacted; and
- report to the Planning & Building Control Manager any significant contact with the applicant and other parties, explaining the nature and purpose of the contacts and your involvement in them, and ensure that this is recorded on the planning file.

5.2 **In addition, in respect of presentations by applicants/developers:**

- **Don't** attend a planning presentation without requesting an officer to be present.
- **Do** ask relevant questions for the purposes of clarifying your understanding of the proposals.
- **Do** remember that the presentation is not part of the formal process of debate and determination of any subsequent application, this will be carried out by the appropriate Committee of the planning authority.
- **Do** be aware that a presentation is a form of lobbying and, whilst you may express any view on the merits or otherwise of the proposal presented, you should never state how you or other Members would intend to vote at a committee.

6. Lobbying of Councillors

6.1 **Do** explain to those lobbying or attempting to lobby you that, whilst you can listen to what is said, it may subsequently prejudice your impartiality, and therefore your ability to participate in the Committee's decision making, to express an intention to vote one way or the other;

6.2 **Do** remember that your overriding duty is to the whole community not just to the people in your ward and, taking account of the need to make decisions impartially, that you should not improperly favour, or appear to improperly favour, any person, company, group or locality.

6.3 **Don't** accept gifts or hospitality from any person involved in or affected by a planning proposal. If a degree of hospitality is entirely unavoidable, ensure it is of a minimum, its acceptance is declared as soon as possible, including its addition to your register of interests where relevant.

6.4 **Do** copy or pass on any lobbying correspondence you receive to the Planning & Building Control Manager at the earliest opportunity.

6.5 **Do** promptly refer to the Planning & Building Control Manager any offers made to you of planning gain or constraint of development, through a proposed s.106 Planning Obligation or otherwise.

6.6 **Do** inform the Monitoring Officer where you feel you have been exposed to undue or excessive lobbying or approaches (including inappropriate offers of gifts or hospitality), who will in turn advise the appropriate officers to follow the matter up.

6.7 **Do** note that, unless you have a disclosable or overriding other personal conflict of interest, you will not have fettered your discretion or breached this Planning Code through:

- listening or receiving viewpoints from residents or other interested parties;
- making comments to residents, interested parties, other Members or appropriate officers (making clear that you must keep an open mind);
- seeking information through appropriate channels; or
- being a vehicle for the expression of opinion of others in your role as a Ward Member.

7. Lobbying by Councillors

7.1 **Don't** become a member of, lead or represent an organisation whose primary purpose is to lobby to promote or oppose planning proposals. If you do, you will be seen to have fettered your discretion on the grounds of bias.

7.2 **Do** join general interest groups which reflect your areas of interest and which concentrate on issues beyond particular planning proposals, such as the Victorian Society, CPRE, Ramblers Association or a local civic society, but you should normally disclose that interest on the grounds of transparency where the organisation has made representations on a particular proposal and make it clear to that organisation and the Committee that you have reserved judgement and the independence to make up your own mind on each separate proposal.

7.3 **Don't** excessively lobby fellow councillors regarding your concerns or views nor attempt to persuade them that they should decide how to vote in advance of the meeting at which any planning decision is to be taken.

7.4 **Do** be aware of the power of social media posts or re-posting and be careful to not to give the impression that you will definitively vote in a certain way or act with a closed mind if you intend to participate in the decision making on behalf of the authority.

7.5 **Don't** decide or discuss how to vote on any application at any sort of political group meeting, or lobby any other Member to do so. Political Group Meetings should never dictate how Members should vote on a planning issue.

8. Site Visits/Inspections

8.1 **Do** try to attend site visits organised by the Council where possible.

8.2 **Don't** request a site visit unless you feel it is strictly necessary because:

- particular site factors are significant in terms of the weight attached to them relative to other factors or the difficulty of their assessment in the absence of a site inspection; or
- there are significant policy or precedent implications and specific site factors need to be carefully addressed.

8.3 **Do** ensure that you report back to the Committee any information gained from the site visit that you feel would benefit all Members of the Committee

8.4 **Do** ensure that you treat the site visit only as an opportunity to seek information and to observe the site.

8.5 **Do** ask the officers at the site visit questions or seek clarification from them on matters which are relevant to the site inspection.

8.6 **Don't** hear representations from any other party, with the exception of the Ward Member(s) whose address must focus only on site factors and site issues. Where you are approached by the applicant or a third party, advise them that they should make representations in writing to the authority and direct them to or inform the officer present.

8.7 **Don't** express opinions or views.

8.8 **Don't** enter a site which is subject to a proposal other than as part of an official site visit**,** even in response to an invitation, as this may give the impression of bias unless:

- you feel it is essential for you to visit the site other than through attending the official site visit,
- you have first spoken to the Planning & Building Control Manager about your intention to do so and why (which will be recorded on the file) and
- you can ensure you will comply with these good practice rules on site visits.

9. Public Speaking at Meetings

9.1 **Don't** allow members of the public to communicate with you during the Committee's proceedings (orally, in writing or by social media) other than through the scheme for public speaking or through the Chair, as this may give the appearance of bias.

9.2 **Don't** participate in social media or exchanges by texting as a member of the committee during the committee's proceedings as this may give the impression of undue external influence and may give the appearance of bias.

9.3 **Do** ensure that you comply with the Council's procedures in respect of public speaking.

10. Officers

10.1 **Don't** put pressure on officers to put forward a particular recommendation. (This does not prevent you from asking questions or submitting views to the Planning & Building Control Manager, which may be incorporated into any committee report).

10.2 **Do** recognise that officers are part of a management structure and only discuss a proposal, outside of any arranged meeting, with a Head of Service or those officers who are authorised by their Head of Service to deal with the proposal at a Member level.

10.3 **Do** recognise and respect that officers involved in the processing and determination of planning matters must act in accordance with the Council's Code of Conduct for Officers and their professional codes of conduct, primarily the Royal Town Planning Institute's Code of Professional Conduct. As a result, planning officers' views, opinions and recommendations will be presented on the basis of their overriding obligation of professional independence, which may on occasion be at odds with the views, opinions or decisions of the Committee or its Members.

11. Decision Making

11.1 **Do** ensure that, if you request a proposal to go before the Committee rather than be determined through officer delegation, that your planning reasons are recorded and repeated in the report to the Committee.

11.2 **Do** come to meetings with an open mind and demonstrate that you are open-minded.

11.3 **Do** comply with section 38(6) of the Planning and Compulsory Purchase Act 2004 and make decisions in accordance with the Development Plan unless material considerations indicate otherwise.

11.4 **Do** come to your decision only after due consideration of all of the information reasonably required upon which to base a decision. If you feel there is insufficient time to digest new information or that there is simply insufficient information before you, request that further information. If necessary, defer or refuse.

11.5 **Don't** vote or take part in the meeting's discussion on a proposal unless you have been present to hear the entire debate, including the officers' introduction to the matter. (Where a matter is deferred and its consideration recommences at a subsequent meeting, only Members who were present at the previous meeting will be able to vote. If this renders the Committee inquorate then the item will have to be considered afresh and this would include public speaking rights being triggered again).

11.6 **Do** have recorded the reasons for Committee's decision to defer any proposal.

11.7 **Do** make sure that if you are proposing, seconding or supporting a decision contrary to officer recommendations or the development plan that you clearly identify and understand the planning reasons leading to this conclusion/decision. These reasons must be given prior to the vote and be recorded (it will help to take advice from officers when and where necessary to do this and, if there are no indications allowing you to do this in advance of the meeting, it may be helpful to request a short adjournment for these purposes). Be aware that you may have to justify the resulting decision by giving evidence in the event of any challenge.

12. Training

12.1 **Don't** participate in decision making at meetings dealing with planning matters if you have not attended the mandatory planning training prescribed by the Council.

12.2 **Do** endeavour to attend any other specialised training sessions provided, since these will be designed to extend your knowledge of planning law, regulations, procedures, Codes of Practice and the Development Plans beyond the minimum referred to above and thus assist you in carrying out your role properly and effectively.

12.3 **Do** participate in the annual review of a sample of planning decisions to ensure that Members' judgements have been based on proper planning considerations.

APPENDIX A

COUNCIL GUIDELINES FOR DETERMINING PLANNING APPLICATIONS

1. The emphasis in determining applications is upon a plan led system. Section 54A of the Town and Country Planning Act 1990 requires all planning applications to be determined by reference to the Development Plan if material to the application, and any other material considerations. If the Development Plan is material to the application then the statutory position is that the application should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

2. The term *"other material considerations"* has a wide connotation as expressed by the following judicial comment:-

   "I find it impossible, however, to accept the view that such considerations are limited to matters relating to amenity……it seems to me that any consideration which relates to the use and development of land is capable of being a planning consideration".

3. Material considerations include national planning guidance in the form of the NPPF, the NPPG, government Circulars, a Ministerial Statement, Non-Statutory Development Control Guidelines Inspectors Decisions and case law.

4. Examples of material considerations are:-
   - appearance and character of development;
   - traffic generation, highway safety and parking;
   - Overshadowing, overlooking and loss of privacy;
   - noise, disturbance or other loss of amenities;
   - layout and density of buildings;
   - relevant planning policies.

5. Matters which are not material considerations include:-
   - boundary disputes, covenants or other property rights;
   - personal remarks (eg the applicant's motives);
   - reduction in property values;
   - loss of private view over the land.

6. The personal circumstances of an applicant for planning permission are not generally a material consideration because they do not relate to the character or use of the land. However, in exceptional circumstances they may outweigh other material planning considerations. Where this is the case, specific and valid reasons must be given to justify the exception.

7. What constitutes a material consideration is a matter of law. The weight to be attached to the consideration is a matter of planning judgement for the decision-maker having regard to the planning evidence.

8. It is essential to consider thoroughly any advice given by a statutory consultee or relevant Government Department, including views expressed by Historic England or the Environment Agency.

9. The view of local residents are relevant when determining a planning application, but it must be recognised that such opposition cannot be reason in itself for refusing or granting planning permission unless founded on valid planning reasons, which are supported by substantial evidence.

10. Account should be taken of previous Council decisions, appeal decisions in relation to the site, or other related appeal decisions.

11. It is not permissible to prevent, inhibit or delay development which could reasonably be permitted.

12. Planning Conditions should only be imposed for a planning purpose and not for any ulterior one. They must fairly and reasonably relate to the development. Thus it is essential to avoid conditions which are unnecessary, unreasonable, unenforceable, imprecise or irrelevant.

Protocol on Member/Officer Relations

(ratified by Council on 11 June 2014)

COUNCILLOR/OFFICER PROTOCOL

1. INTRODUCTION

1.1 This document provides a guide to both Councillors and Officers on the matters listed below, to facilitate the smooth management of the Council in a way that will enable Councillors and Officers to carry out their roles with certainty and confidence in the provision of excellent services to the public:

- Roles of Councillors and officers
- Councillors' access to information, to Council documents, and meetings
- Agenda preparation
- Scrutiny
- Corporate values

1.2 The protocol seeks to reinforce principles which are highlighted in the statutory General Principles governing the conduct of Councillors, the Council's Code of Conduct for Members, the Planning Code of Conduct, the Officers' Code of Conduct and the Council's Values statement. These documents aim to maintain and embrace the high standards of local government and ensure the integrity of Councillors and employees at all levels.

1.3 It also incorporates guidance from the Information Commissioner in relation to correspondence relating to constituents and the disclosure of personal information to and by Councillors.

1.4 If Councillors or officers are in any doubt as to the application or interpretation of the guidance, the matter should be raised in the first instance with the Director of the relevant Directorate; and if the matter remains unresolved, with the Monitoring Officer or Head of Paid Service (Chief Executive).

1.5 The protocol also applies to non-Councillor members of the Council's Standards Committee, the Adult Social Care, Children's Services & Education Committee, and the Health & Wellbeing Board, and any other co-opted member.

2. ROLE OF COUNCILLORS AND OFFICERS

2.1 Both Councillors and officers are servants of the public and they are indispensable to one another. The roles of Councillors are set out in Article 2 of the Council's constitution; they are principally those of determining the strategy and policies of the Council and of acting as representatives of the communities from which they are elected. Officers are responsible to the Council and their functions concentrate on management, advising Councillors in their formulation of strategy and policies and the implementation of the strategy and policies. The roles of the Council's statutory officers are set out in Article 12 of the constitution.

2.2 The Council has adopted a set of values that define the organisation's culture and set the framework for a way of working. These are to:

- Be open and honest with our dealings with colleagues and the public;
- Learn from what we do, encouraging innovation and creativity;
- Work together to achieve best results;
- Value and respect the diversity within our workforce, services and community;
- Take responsibility for what we do and how we do it;
- Set high standards and support people in meeting them.

2.3 The Values confer a commitment on both Councillors and officers on how to work together and deliver services to the community. The Protocol and Values should complement each other in order to achieve this. Councillors and officers should always bear in mind the Values in their dealings with each other and the public.

2.4 Any complaints about Member/Officer relationships should in the first instance be referred to the relevant Director or the Council's Head of the Paid Service, who will decide how the complaint should be dealt with having regard to any relevant Council procedures.

3. COUNCILLORS' ACCESS TO INFORMATION, TO COUNCIL DOCUMENTS AND MEETINGS

Documents and Information

3.1 Information and access to it is now the subject of a variety of legislation including the Local Government Acts 1972 and 2000 and Regulations made in accordance with those Acts, and the Data Protection Act 1998 and Freedom of Information Act 2000. The 1998 and 2000 Acts apply significant controls on the way in which information relating to living individuals is both handled and disclosed.

3.2 Councillors have a statutory right to see any document containing material relating to any business to be considered at Council or Committee meetings except where those documents contain certain types of confidential or "exempt" information as defined in the access to information legislation or the Freedom of Information Act 2000. In addition, Councillors are entitled to any information that they require to enable them to do their job as a Councillor (the "need to know" principle) although it is necessary to be careful not to breach the data protection legislation.

3.3 Unless the "need to know" principle is satisfied, Councillors may not request information which is confidential or exempt under the provision of the Access to Information, Data Protection or Freedom of Information legislation. The Council's data protection registration covers the sharing of information between officers and Councillors, for the conduct of the Council's business. Under the registration, Councillors may have access to, and process, information, including personal information, in the same way as officers, subject to the Council determining what the information is used for.

Correspondence

3.4 Correspondence on Council business between Councillors and officers is not private and takes place under the Council's data protection registration. The issue of confidentiality only arises in three specified circumstances:

1) where the correspondence is on a subject matter where the information is confidential or exempt under the provisions of the Access to Information, Data Protection or Freedom of Information legislation: this would normally include ward-based correspondence about individuals or clients (see paras. 3.7-3.9 below)

2) where the correspondence is covered by a data sharing protocol which places restrictions on its circulation

3) where the correspondence takes the form of a request for a confidential briefing under para. 3.21 below.

3.5 In general terms, correspondence with the Council should be through the Councillor Services team, who will record and monitor it. This includes complaints, general enquiries, and requests for information.

Personal Information

3.6 Councillors do not have a general right of access to information about individuals or clients, or the services they receive from the Council, unless they can clearly establish a "need to know" with regard to that particular information or the individual in question. The Data Protection Act 1998 specifically prevents information about living individuals being disclosed to anybody unless the subjects have been told that the information will be used for that purpose or they have consented to the disclosure.

3.7 Councillors who are asked by a ward resident to represent them on a particular matter have a right to expect reasonable access to information in order to represent that resident effectively. With regard to personal information this will normally be limited to information about that individual and may not

extend to information about other associated individuals, for example other members of the family or household, or neighbours.

3.8 The more general principles concerning when officers may share personal information with Councillors, and the use that Councillors can make of that information, are set out in paras. 3.15-3.16 below.

Attendance at Meetings

3.9 Standing Order 32 (see Part 4 of the Constitution) sets out the rights of Councillors who are not members of a Committee to attend meetings and to speak, at the invitation of the Chair, including items on the confidential part of an Agenda.

Briefings, Reports etc

3.10 The authority operates a committee system, rather than an executive form of governance, where decisions are made by Committees on which all political groups on the Council are represented in proportion to the Groups' political strength on the Council. However the authority has continued to recognise the controlling political Group on the Council as the Administration and the Leader of that Group is appointed by Council to be its Leader. The Council also appoints Lead Councillors with responsibility for a service portfolio.

3.11 The Lead Councillor Members are appointed to the Policy Committee and have a specific role to play in managing their portfolio of responsibilities, and a greater degree of accountability for those responsibilities. Lead Councillors must therefore, be consulted, individually or collectively, by officers on matters within their portfolio in advance of reports or advice being published or given by officers. Lead Councillor briefings should be held regularly to ensure ongoing communication between officers and their Lead Councillor(s). A similar process to coordinate agendas will apply to the Chairs and Vice-Chairs of the Council's Committees. Lead Councillors will also be invited to any agenda coordination meetings covering their portfolio area.

3.12 All Councillors will have an important role to play in the provision of services and functions by the Council and need to have access to information and advice to a degree which will enable them to participate fully as councillors and to take decisions as members of Committees of the Council.

3.13 As a result, all individual councillors are entitled to information or briefings from relevant officers to enable them to fulfil their roles and obligations to their constituents on the understanding that information/advice will not be given on matters which have not yet come forward as proposals or are not in the public domain other than through the Council's formal procedures such as questions to Council or Committee or through an overview or scrutiny process undertaken by a Committee. However, Councillors should not ask officers for their personal opinion on the matter in question, and in responding to requests from Councillors for information or briefings, officers should give their professional advice and not their personal opinion.

3.14 Lead Councillors or Committee Chairs are entitled to receive all non-personal information necessary for them to carry out their official duties. Officers should seek to ensure that their Lead Councillor or Committee Chair are fully briefed on all matters for which they are responsible, and are not put in a position of being less informed on a matter concerning a service for which they are responsible than a fellow Councillor or member of the public. Therefore as general rule, officers will copy responses in writing to requests from Councillors for information or briefings to the responsible Lead Councillor / Chair, and where Councillors request oral briefings the officer will normally give the same information to the Lead Councillor / Chair, subject to the information:

a) being necessary for the Lead Councillor or Chair to conduct their official duties
b) not being provided through a confidential briefing (see para 3.20 below)

3.15 Where the information is personal to a constituent or other third party, officers will normally only share this with a Councillor in the following circumstances:

a) to the Lead Councillor or Chair

- where the information is covered by any local information sharing protocol, and its disclosure to the Lead Councillor or Chair is consistent with that protocol;
- in other cases, where the disclosure of the personal details is necessary to help the constituent, and to enable the Lead Councillor or Chair to carry out their official duties.

In these cases, the officer must specify to the Lead Councillor or Chair the purpose for which the personal information is being provided (eg for the conduct of their official duties), and the Lead Councillor or Chair must use the personal information solely for this purpose.

b) to the ward Councillor

- where the disclosure is to help a constituent and to address his/her concerns
- where the councillor represents the ward in which the individual lives, and
- where the councillor makes it clear that he/she is representing the individual in any request for their personal information;
- where the information is necessary to respond to the individual's enquiry or complaint
- where the disclosure is consistent with any information sharing protocol

3.16 Any Councillor, including Lead Councillors or Chairs, who receive personal information on a constituent or other third party from another Councillor or an officer under the Council's DPA registration must take care:

a) To use that information solely for the purpose for which it has been provided;

b) Only to disclose the personal information to another ward councillor in the following circumstances:

- To address the constituent's concerns
- Where the issue raises a matter which concerns other councillors in the same ward
- Where the constituent has been told that this is going to happen, and why it is necessary (and has not objected to the disclosure)

c) Not to disclose that information outside the Council without the third party's consent; and should be aware that to do so could put the authority in breach of the Data Protection Act, and the Councillor in breach of the Member Code of Conduct. Personal information provided under the Council's DPA registration must not be used for party political purposes.

d) To comply with the Council's ICT security policy statement when using, storing or processing the personal information away from the Council's premises.

3.17 Where a Councillor has made a written request for information or briefing to an officer, and has copied that request to other persons, generally the officer will respond in writing to all persons so named. However, where an officer considers that in his/her professional judgment it is inappropriate to provide the information or briefing to any of the other persons, or alternatively that the information or briefing should be provided to other persons not named in the original request, s/he will explain this in the written response to the Councillor.

3.18 Subject to para. 3.17 above, and to any standing instructions given by ward Councillors to the contrary, an officer responding to a Councillor on ward business will not, as a matter of course, copy the response to other ward Councillors. All standing instructions from ward Councillors in individual wards which vary this arrangement should be reviewed each year after the local election.

However, officers will notify all ward Councillors of physical works to be undertaken in their ward, once the decision to do the works has been taken.

3.19 Officers should not respond to outstanding enquiries from former Councillors once they have ceased to serve of the Council. Where the enquiry involved correspondence from a constituent, officers will send the response directly to the constituent and explain why they are doing so.

Visits to Premises etc

1) A Councillor who is entitled to ask for a briefing under this Protocol may request the briefing in the form of a visit to Council premises outside the Civic Offices, to inspect Council equipment, or to observe the provision of Council Services on site or within the community. In such cases, the Councillor must put the request in writing to the Director responsible for the service and must specify his/her locus for requesting the briefing, and the purpose of the briefing. The Director may refuse to arrange the visit or inspection if its purpose is not consistent with this Protocol, or is operationally inconvenient for the service, or may give rise to health and safety considerations, in which case the Director will explain their reasons in writing to the Councillor.

2) Where an Director arranges a briefing visit or inspection for one or more Councillors, s/he will confirm the arrangements, including date, time and location, with the Councillor(s) beforehand in writing, and will be present, or arrange for a service manager to be present, to meet with the Councillor(s) and to accompany the visit or inspection.

3) Councillors may not visit Council premises, inspect Council equipment, or deal directly with Council staff undertaking their duties on site or within the community, outside the provisions of this Protocol.

4) In line with para. 3.14 above, the Director will let the responsible Lead Councillor and Committee Chair know of the request to visit Council premises, inspect Council equipment and/or to observe the provision of Council services on site or within the community, and the arrangements made to meet the request.

5) The rules set out in this Protocol relating to briefings and reports will apply to any such visits or inspections. This includes the provisions concerning Councillors not asking officers for their personal opinions on a matter in question; and giving the same information to the Lead Councillor and Committee Chair as was given to a Councillor during a visit or inspection.

Confidential Briefings

3.20 A briefing in confidence may only be requested from Directors, and will only be given to Councillors who are not Lead Councillors or Committee Chairs in the following circumstances:

a) Where the advice is requested by the Councillor on a personal matter (eg concerning declarations of interest or where advice is required on the wording of a resolution or the interpretation of law, Standing Orders or a code of conduct);

b) Where the advice is requested in confidence by the Leader or Deputy Leader of a political group, or any other nominated officer of the group, for the purposes of that Group.

c) Councillors may ask for advice / guidance as to whether their action / proposals are within the law and on questions of probity eg in connection with Council or other resolutions, financial or other types of interest.

3.21 A confidential briefing does not have to relate solely to exempt (Part II) business.

Briefings for Political Groups

3.22 The existence of political groups within local authorities is now specifically recognised by law. Officers may properly be called upon to give information and advice to party group meetings. It may be appropriate for senior officers to give advice on the formulation of strategy and policy options to all political groups but it would be inappropriate for political groups to expect officers to give advice on or to undertake research to inform the formulation of proposals which are or would be contrary to the approved policies of the Council or its Committees, except in the formulation of alternative budget proposals for presentation to the annual budget meeting.

3.23 When officers do provide information and advice to a Lead Councillor, a political group representative or a political group meeting, it is not a substitute for providing all necessary information and advice to the Council or its Committees when the matter is considered.

3.24 Officers may not attend Group meetings except by invitation. Groups may ask officers to attend a meeting to provide information and advice in relation to relevant matters of Council business on the

agenda for the meeting. Any request for an officer to attend a Group meeting should be directed to the Head of Paid Service or relevant Director and indicate the subject matter upon which information and/or advice is to be sought. If the Head of Paid Service or Director is of the opinion that it would be inappropriate for an officer requested to attend, the reasons for that view should be discussed with the party leader or other relevant group officer immediately.

3.25 If officer attendance is appropriate, the Head of Paid Service or the relevant Director shall determine which officers should attend. However, officers should not be present when party business is being discussed and must not be involved in advising on matters of party business.

3.26 When attending Group meetings to provide information, the officer must make clear the status of the information being presented (eg whether it is confidential or exempt) and may specify that the information can only be presented to Councillors and not to other people attending the Group; and the Group must adhere to these conditions. The unauthorised disclosure by any Group Councillor of exempt or confidential information given to the Group by an officer could be a breach of the Member Code of Conduct.

3.27 Both Councillors and officers should refrain from any conduct which could lead to the political impartiality of officers being called into question. It is a requirement of the Code of Conduct that Members should not do anything which compromises or is likely to compromise the impartiality of staff. Officers may at their discretion decline to disclose exempt information (i.e. information which if contained in a Committee report would lead to it being placed in Part 2 of the Agenda).

3.28 Advice / information or reports given by an Officer to a political Group must remain confidential to the Group to whom it is given. (This does not prevent the same advice/information being given to another Group if requested by them).

3.29 Councillors and officers shall respect the confidentiality of political Group meetings and meetings with Lead Councillors and the existence and content of any such discussions shall not be relayed directly or indirectly to Councillors of another group without the consent of the Group Chair or Secretary, or Lead Councillor.

Accounts

3.30 Councillors also have all the rights acquired by members of the public to see the authority's accounts and the general right to see all books, deeds etc, which are included in the annual audit. The period of inspection takes place over a three-week period after the publication of the Council's final accounts for the previous financial year, and usually occurs during August.

Working with Councillors on Non-Council Business

1) Councillors need to deal with the Council in various personal capacities: as private citizens; as local residents and receivers of services; as members of local voluntary, community and interest groups; as householders; and also as employees, Directors, owners or shareholders in local businesses or property. Councillors are required to complete and keep updated a public register of their financial interests; and to declare any personal and pecuniary interests which arise when they are taking decisions.

2) Councillors who contact the Council in a personal or business capacity must do so within the terms of the local Member Code of Conduct, and any failure to do so may involve a breach of the Code. Councillors are also required to comply with the authority's Planning Code of Conduct, and advice on Licensing applications.

4) Councillors, when communicating with the Council on personal business, should:

- Contact the Council from their home or business address or contact
- Make clear both that they are a Councillor, but that their contact on this occasion is personal (ie not as a Councillor)
- Not contact the Council using their Council e-mail account, nor through Members' Services
- Make the contact or request in writing, and make clear that they are acting in a personal capacity

5) Officers, when responding to a Councillor on personal business, will:

- Respond in writing to the Councillor in his/her personal capacity, and not address him/her as Councillor
- Send the communication to the Councillor's home or business address or contact by Royal Mail (not the Council's courier service); and not send responses by e-mail through the Councillor's RBC e-mail account
- In all cases, treat the Councillor no differently from any other member of the public making a similar request
- If officers consider that a Councillor is making an inappropriate request, they should notify their Director and the Monitoring Officer.

6) All communications with Councillors on their personal business should be recorded through Front Office. Services should do this directly, and not through Councillor Services, who will only log onto Front Office enquiries by Councillors acting in their capacity as a Councillor.

7) Councillors who are communicating on personal business will be treated as members of the public. Councillors cannot demonstrate a "need to know" that goes beyond their public rights under the Freedom of Information Act when they are not acting as a Councillor and are not covered for personal business by the Council's DPA registration.

8) Councillors who are submitting development proposals and planning applications in respect of any land or property in which they have a beneficial interest must do so in line with the Planning Code of Conduct, and in particular:

- must make clear that they are a Councillor
- must not take any part in the decision-making process (this would be a breach of the Member Code of Conduct, through failure to declare a disclosable pecuniary interest)
- should not seek to influence the case officer's assessment or recommendation on their proposal

The same rules apply in relation to applications made by the Councillors' spouse or partner. In the interests of transparency and openness, the local member code of Conduct extends them to include applications made by other members of a Councillors' family or any other person with whom the Councillor has a close association; in such cases the interest will not be a disclosable pecuniary interest, and the Councillor should declare a personal interest.

4. AGENDA PREPARATION

Agenda Co-ordination

4.1 The Agenda for Council meetings will be constituted in accordance with the provisions of Standing Order 5 set out in the Council and Committee Procedure Rules in Part 4 of the Constitution.

4.2 Agendas for Committee meetings will be compiled in accordance with the provisions of Standing Order 36C of the Council and Committee Procedure Rules. They state that the Director of Legal and Democratic Services will determine the agenda for Committee meetings, subject to consultation with the Leader, the Chair and the responsible Lead Councillor(s), as well as the Head of Paid Service, Chief Financial Officer, and lead officer(s) for the Committee. The following may request the Clerk to the Committee to include an item on the Agenda for the next meeting of a Committee (subject to the Access to Information Regulations being met):

Leader
Responsible Lead Councillor;

4.3 An Opposition Group Leader or the Mayor may ask the Leader to put an item on the Agenda of a Committee meeting for consideration, and if the Director of Legal and Democratic Services agrees the item will be considered at the next available meeting, subject to there being no more than two such reports per Committee meeting. The notice of the meeting will give the name of the Councillor who asked for the item to be included.

4.4 The Head of Paid Service, Monitoring Officer and/or the Chief Financial Officer may include items for consideration on the Agenda of any Committee meeting and may require that a meeting of the Committee be called in pursuance of the statutory duties.

4.5 Under Standing Order 29, any three members of a Committee may call a meeting of that Committee at any time.

Reports

4.6 It must be remembered that officers are required to draft reports for Council and Committees which contain proper professional advice, and all relevant information, and no irrelevant information, necessary to allow the meeting to make a reasonable decision, in line with the *Wednesbury* Principles.

4.7 All reports should be submitted to the Council or Committees under the name of the Director or Statutory Officer, and Directors and Statutory Officers shall be fully responsible and accountable for the contents of any reports submitted in their names.

4.8 All reports submitted to the Council or Committees must also state the name of the responsible Lead Councillor(s), and the officer submitting the report will consult with the Lead Councillor(s) on the recommendations made in the report before submitting the report to the meeting.

Consultative and Advisory Bodies

4.9 Councillors and officers will also attend meetings of consultative and advisory bodies which have representatives of partnership bodies, local businesses, voluntary groups and other agencies. At such meetings Councillors and officers may provide appropriate information and advice on Council business but shall not disclose any exempt or confidential material, including personal information except where its disclosure is provided for by an information sharing protocol, in which case this must be explained.

5. OVERVIEW AND SCRUTINY

5.1 A Committee may resolve to undertake an overview or scrutiny exercise of any function or service delegated to it, or of a partner organisation providing public services locally in Reading. In addition, under the provisions of Standing Order 25, full Council may request a Committee to undertake a scrutiny review. In such cases, the Overview and Scrutiny Procedure Rules will apply, as set out in Part 4 of the Constitution.

5.2 A scrutiny exercise undertaken under the Overview and Scrutiny Procedure Rules may include the scrutiny and review of decisions made or actions taken in accordance with the discharge of any Council functions covered by the Committee. In addition to reviewing documentation, in fulfilling the scrutiny role, a Committee, or a task-and-finish group of Members set up by a Committee to undertake the scrutiny exercise, may require any Lead Councillor and/or senior officer to attend before them to provide evidence in relation to matters within their remit. The Committee or task-and-finish group may request information on any decision or series of decisions, the extent to which the actions taken implement Council policy and their performance.

5.3 Lead Councillors and officers are required to attend such scrutiny exercises if requested, unless exceptional circumstances prevent this, in which case arrangements for an alternative date will be made in consultation with the Lead Councillor and Chair of the Panel. They are also required to answer all questions asked of them, unless they would otherwise have grounds for not answering the question if it were put to them in a court of law.

5.4 Officers who are not Directors and who are requested to attend to give evidence at a scrutiny exercise can, at the officers' request, be accompanied by a senior manager or a Trades Union representative. This request cannot be reasonably denied by the Committee or task-and-finish group.

5.4 Councillors and officers may not be accompanied by an external legal representative without the specific approval of the Monitoring Officer.

6. CORPORATE VALUES/ NOLAN PRINCIPLES

6.1 Councillors and officers should always bear in mind the corporate values and Nolan Principles in their dealings with each other. Mutual respect between officers and Councillors is essential to good local government. It is important that any dealing between Councillors and officers should observe reasonable standards of courtesy and that neither Councillors or officers should seek to take advantage of their position, intimidate the other party or seek to exert duress.

6.2 Close personal familiarity between Councillors and officers can damage their relationship and prove embarrassing to other Councillors and officers. However, it is clearly important that there should be a close professional working relationship between the Lead Councillor and the Director and other senior officers with service responsibilities within the Lead Councillor's portfolio; and also between the Director and senior officers and their Committee Chair(s).

Disputes

6.3 Taking into account the corporate values and with Councillors and officers respecting integrity, the majority of disagreements should be resolved quickly and amicably. However, if there is a serious dispute, the matter should be discussed in the first instance between the Councillor and the officer concerned. If such discussions do not produce an acceptable resolution the matter should be referred to relevant senior managers and senior party leaders, ultimately resulting in referral to the Head of Paid Service. In addition, any officer can make a complaint that a Councillor has acted in breach of the Member Code of Conduct to the Monitoring Officer.

Other relevant Codes etc

6.4 These include:

Code of Conduct for Members
Code of Conduct for Officers
Planning Code of Conduct for Members
Working with Reading's MPs – Guidelines
Publicity in Elections
Whistleblowing Policy

Working with Reading's MPs – Guidelines

The Council has always been keen to encourage joint working with the Borough MPs, where this is appropriate. In order to facilitate this, whilst at the same time ensuring the legitimate use of Council officer time and facilities, these guidelines have been developed with the Leader, Deputy Leader and Chief Executive.

General

1. Council Officers should only do work on behalf of MPs that is related to legitimate Council business, ie it must be a legitimate Council activity.

Invitations and Publicity

2. The Council must take great care in issuing publicity which includes the Borough's MPs as they are persons identified with a political party and therefore subject to the provisions of Section 2 of the Local Government Act 1986 and Section 27 of the Local Government Act 1988. Times when it will be appropriate to invite MPs to Council events and to include the MPs in Council publicity will include:

    - Civic and other events organised by the Council to which MPs are formally invited, such as Royal visits, ministerial visits, Mayor Making, Remembrance Day events, the Civic Ball and Carol Service, and other Mayoral and partnership events where the MPs are included on the Civic VIP list.

    - Events organised by schools, youth and community centres or other Council services or activities funded by the Council to which they invite the MPs.

    - Events organised by partners and community organisations to which both the Council and MPs are invited.

    - Local campaigns and issues where the Council had formally asked one or both MPs to be involved in lobbying on the Council's behalf: in all such cases, the reason for MP involvement should be clearly established; sometimes it will be specific to an individual constituency.

      Formal requests to MPs can take a number of forms, which should be documented:

        - Council or Committee motions or resolutions
        - MPs briefings
        - Requests in writing, only from the Chief Executive

    - Local campaigns and issues where MPs have approached or put a proposal to the Council, to which Council is responding.

3. MPs may be invited to launches of Council initiatives or functions where they have a clear personal, geographical or interest-based link with the initiative, and it would be normal to invite the MP.

   In this respect, and with regard to geographical links:

    - Both MPs may be invited to Borough-wide events, irrespective of where they are held.

    - The fact that an event is held at the Civic Offices, the Hexagon, the Town Hall, or Rivermead Leisure Centre, or in other Town Centre locations does not, in itself, establish a geographical link to the MP for Reading East.

    - Both MPs should be invited to events at South Reading Leisure Centre.

4. Requests from MPs to Council Officers or services to participate in campaigns initiated by an MP should be handled with great care, and must be relevant to Reading. In all cases they should be referred to:

    - The Strategic Communications Manager or Senior Press Officer – in relation to publicity
    - The Chief Executive or relevant Executive Director or Director – in relation to use of civic facilities
    - The appropriate Lead Councillor or Committee Chair (if unavailable the Leader or Deputy Leader)

    The Communications Team will liaise directly with the officer and Lead Councillor, Chair and Monitoring Officer on the request, and the arrangements for the activity.

5. Separate guidance will be offered during election purdah periods, which will supersede this guidance.

Correspondence and Briefings

6. Except where otherwise agreed by the Chief Executive, all correspondence between MPs and the Council will be through the Chief Executive. Exceptions will include constituency casework, where the MPs may correspond directly with the responsible Director, and electoral issues where the MPs may correspond directly with the Returning Officer.

7. The Chief Executive offers briefing meetings to both MPs (separately and together) on a regular basis. As a general rule, only Directors will attend briefing meetings.

8. Conversely, either MP can request briefings on specific items at these meetings, in which case the appropriate officer will be approached to arrange for the briefing to be provided to the meeting, either orally or in writing.

9. MPs may also request information or briefings, from Directors, and vice versa. To avoid any conflict with the Freedom of Information Act 2000, MPs may only request information or briefings in confidence in the following circumstances:
    - on a matter where the information itself is confidential or exempt under the provision of the Access to Information, Data Protection or Freedom of Information legislation. This will usually include correspondence between constituents and their MPs which as a general rule will be covered by the Data Protection Act.
    - Where the advice requested is on a matter personal to the MP

10. MPs do not have a right of access to information about individuals or clients, and the Data Protection Act 1998 specifically prevents information about living individuals from being disclosed to anybody unless the subject has been told that the information will be used for that purpose or has consented to the disclosure. MPs who can show written evidence that they have been asked by a constituency resident to represent them on a particular matter have a right to expect reasonable access to information in order to represent that constituent effectively. With regard to personal information, this will normally be limited to information about that individual and may not extend to information about other associated individuals, for example for members of the family, household or neighbours.

11. Requests for information or briefings from the Borough's MPs which do not involve confidential information or personal advice will be handled in line with the long-standing protocol concerning briefings given to Councillors, which is that information given in writing will always be copied to the Lead Councillor and (if relevant) Chair of the appropriate Committee; and where MPs request oral briefings the Chief Executive or Director will inform the Lead Councillor of the content of the briefing.

Facilities

12. MPs may not make use of Council officer time or Council facilities in their publicity or constituency work.

13. MPs may book and use rooms in Council buildings for their surgeries without charge.

14. On other occasions, MPs may book rooms in Council buildings, but when they do so they will be charged for this use. This will be the rate for voluntary organisations, where such a rate applies; if not, it will be the normal commercial rate.

15. As above, separate guidance will be issued during election purdah periods which will supersede this guidance.

If you have any queries about these guidelines or whether a piece of work with an MP is appropriate Council business, please contact the Monitoring Officer or Strategic Communications Manager.

Council Publicity and Elections

1. STATUTORY POSITION for COUNCIL PUBLICITY

1.1 The Council must comply at all times with both the statutory restrictions on publicity Acts 1986 and 1988, and the national Code of Recommended Practice on Publicity (issued under the 1986 Act)

1.2 Under Section 2 of the 1986 Act, and Section 27 of the 1988 Act, a local authority shall not publish any material which, in whole or in part, appears to be designed to affect support for a political party. In determining whether material falls within this prohibition, regard shall be had to the content and style of the material, the time and other circumstances of its publication, and the likely effect on those to whom it is directed. The legislation makes specific reference to:

- Whether the material refers to a political party or to persons identified with a political party or promotes or opposes a point of view on a question of controversy which is identifiable as the view of one political party and not of another
- Where the material is part of a campaign, the effect which the campaigning appears to be designed to achieve.

1.3 The above restrictions apply to all parts of the local authority's operation, and not just to its Communications operation.

1.4 The restrictions do not stand alone, and have to be read in conjunction with other legislation which justifies local authority funding or activity as part of the provision of a function or service of the local authority. Under Section 111 of the Local Government Act 1972 a local authority has the power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions. Under Section 2 of the Local Government Act 2000, a local authority has a general power to promote or improve the economic, social or environmental well-being of its area, but in doing so it must have regard to the community strategy for its area.

1.5 The above restrictions apply to local authority publicity at all times. However, the Code states that, **"*the period between the notice of an election and the election itself*** [the purdah period] ***should preclude proactive publicity in all its forms of candidates and other politicians involved directly in the election. Publicity should not deal with controversial issues or report views, proposals or recommendations in such a way that identifies them with individual members or groups of members … Proactive events arranged in this period should not involve members likely to be standing for election".***

2. COUNCIL PUBLICITY AND ELECTIONS – GENERAL

2.1 This Protocol is based on the Code of Recommended Practice on Local Government Publicity, and the Local Government Information Unit (LGIU) guide to the Code, "The Right Side of the Law".

2.2 The LGIU policy briefing was issued in March 2003, following the adoption of new executive arrangements from 2001, and the changes made to the Code of Conduct in 2001 to reflect this. The latter tightened the restrictions around elections, and in particular stated that authorities should stop all forms of proactive publicity relating to candidates and other politicians directly involved in elections.

2.3 There are three reasons to be cautious about publicity and other media events in the run-up to an election:

- The statutory restrictions on publicity contained in the Local Government Acts 1986 and 1988, and the national Code of Recommended Practice on Publicity (see above)
- Councillors must also comply with the Council's Code of Conduct. This says that Members must not use their position as a councillor to confer or secure an advantage for themselves

or any other person; and must ensure that the Council's resources are not used for political purposes… . Acting in breach of the Code could result in a complaint to the Standards Board

- There are strict controls on the amount that a candidate can spend on election campaigns, and all expenses must be declared. Councillors who are candidates should not put themselves in a position that attracts a claim that they are using Council resources for campaign purposes, in which case they would have to pay and declare the cost of those resources.

2.4 The Code of Recommended Practice states, amongst other things, that proactive evens organised at election time should not include members standing for election, and that the safest policy between the **notice of the election being published** and polling day is to avoid mention of any Councillor who is seeking election. On press releases, it says that the safest route is not to mention Councillors standing for election; and if it is necessary to have a member comment, also to consider including a quote from an opposition Councillor.

2.5 The national Code is a statutory code of recommended practice, and authorities must have regard to its provisions in coming to any decisions about publicity; it applies to publicity issued by local authorities but not normally to other bodies

2.6 There is local custom and practice in Reading that Lead Councillors (and before them, Committee Chairs), may speak on and be associated with matters falling within their area of responsibility, so long as the law and the essential principles of the code of practice are not infringed. This is consistent with the principle behind Modernisation which was to sharpen the focus of executive authority.

2.7 The LGIU briefing states that there is no need to cease all proactive publicity during election periods, so long as the authority is mindful of the broad restrictions set out in the code

3. COUNCIL PUBLICITY AND LOCAL ELECTIONS

3.1 During the purdah period before a local election (ie from the date the notice of the election is published), Councillors and Officers should apply the following principles arising from the Code, subject to the merits of each individual case, and to none of the cases involving an event or issue which is politically controversial or clearly associated with a political campaign:

1) Lead Councillors may take part in events organised by the Council which relate directly to their portfolio area, where the event is in respect of a Council initiative that is already in the public arena and which has been approved by the Council or Committee, and where the timing of the event is incidental to the election process.
2) Such events should not include ward Councillors who are standing for re-election, or any other candidates; and the responsibility for ensuring that this does not occur extends beyond Council officers to the individual councillors or candidates themselves.
3) For such events, the Council may issue press releases which refer to the Lead Councillor, but should not refer to or include quotes by ward Councillors or candidates.
4) Lead Councillors may also take part by invitation in events relating to their portfolio area which are arranged by another organisation, and as a result may receive publicity independently of the Council
5) Lead Councillors may comment on situations of emergency or where there is a genuine need for a Member response to an important event outside the authority's control
6) Councillors other than Lead Councillors (and the Mayor) should normally not take part in publicity events or be referred to or quoted in press releases
7) The Code does not prevent individual Councillors who are candidates from responding to media enquiries made directly to them about Council business or issues which affect the Borough or its residents
8) The Code does not prevent Councillors who are candidates from dealing with their everyday ward work, including correspondence from constituents, so long as this is not used as a means of canvassing

9) Ward surgeries held in Council property can continue where they are held as part of a regular and scheduled programme, so long as they are used for normal constituency business and not for election canvassing or campaigning

10) The following may be considered to be acceptable events and activities involving Councillors who are candidates, subject to the event or activity not promoting the election or the Councillor as a candidate, as follows:

- Sending welcome letters to new ward residents - so long as it is the Councillor's regular practice to send them, and they are limited to information about the ward Councillor(s) and how to get in touch, surgeries etc
- Sending letters to large numbers of residents - so long as they are about a continuing problem or other Council matter with which the Councillor had been dealing and are informative about the current situation; care must be taken here to ensure that the letters are not viewed as campaigning
- Public consultation meetings - so long as they are provided as part of the normal business of the Council and are part of an agreed programme of work; care should be taken to ensure that they do not look as though they have been arranged as a potential opportunity for campaigning.

4. COUNCIL PUBLICITY AND THE BOROUGH MPs

4.1 The general position with regard to invitations and publicity outside the election purdah period is set out in the ***Guidelines on Working with Reading's MPs***. This also deals with briefings, and facilities.

4.2 The position is different with regard to prospective parliamentary candidates (PPCs). They have no role as PCCs in any Council event or publicity.

4.3 The position will be complicated if a situation arises where any of the PPCs are serving Councillors on the Borough Council. They will continue to have a reason to be involved in events and publicity where this flows from their roles as a Councillor, and which may include Council and Committee motions which they move or second and which are carried.

5. COUNCIL PUBLICITY AND PARLIAMENTARY ELECTIONS

5.1 This part of the Protocol applies to the purdah period for a parliamentary election, following the dissolution of parliament. From that date, the Borough's MPs cease to be MPs. If they have been re-selected to stand, their status will be as a parliamentary candidate; if they have not been selected to stand, or are retiring, then they will have no formal political status.

5.2 In addition, during the purdah period any Councillors who are candidates must be treated as parliamentary candidates and not as Councillors.

5.3 The general election is for parliament, and not for the Council, and therefore the focus of attention regarding publicity and PR will be on parliamentary candidates.

5.4 The Council must comply with both the statutory restrictions on publicity contained in the Local Government Acts 1986 and 1988, and the national Code of Recommended Practice on Publicity (issued under the 1986 Act)

5.5 The Code is written primarily with local elections in mind (hence the reference to Members). However, the same principles will apply with regard to parliamentary candidates, and other politicians who are actively involved in the election.

5.6 The Council may continue to issue publicity and promote events relating to its ongoing activities as a local authority, and that part of this protocol will continue to apply, subject to the events or publicity not involving any of the parliamentary candidates (unless all are involved).

Part 6 - Members' Allowances Scheme

Members' Allowances and Subsistence

This section explains the Councillors' Allowances Scheme adopted by the Borough Council effective from 1 April 2026 to 31 March 2027.

1. **ALLOWANCES PAYABLE TO COUNCILLORS**

Note: A person may forego all or part of any allowances to which they are entitled. To do so, notice must be given in writing to the Monitoring Officer.

1.1 **Basic Allowance**

The Basic Allowance paid to all Councillors is £9,825.99 per year. It is paid automatically through the payroll system, monthly in arrears.

Basic allowance is intended to recognise the time commitment of all councillors, including such inevitable calls on their time as meetings with officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs such as the use of their homes and telephone.

1.2 **Special Responsibility Allowance**

The Special Responsibility Allowances payments are as follows:

(a) the amount paid to the Leader is £22,111.80;

(b) the amount paid to the Deputy Leader is £13,506.12;

(c) the amount paid to SRA Tier 1 is £11,354.76;

(d) the amount paid to SRA Tier 2 is £7,262.28;

(e) the amount paid to SRA Tier 3 is £3,632.28;

(f) the amount paid to SRA Tier 4 is £1,283.64

paid through the payroll system monthly in arrears.

No councillor is to receive more than one Special Responsibility Allowance.

With regard to Special Responsibility Allowance:

- Tier 1 is paid to the Lead Councillors.
- Tier 2 is paid to the Leader of the main opposition group and the Chairs of Licensing Applications Committee and Planning Applications Committee.
- Tier 3 is paid to Chairs of Committees (except the Chair of the Appeals Committee) and Group Leaders of the other political groups.
- Tier 4 is paid to the Vice-Chairs of Committees and the Independent Person appointed in accordance with Section 28 of the Localism Act 2011 to carry out the functions specified in that Act in relation to the Members' Code of Conduct and Local Standards Committee.
- In addition to the categories set out in Tier 4 above, Tier 4 SRA is paid to the Council's representative(s) on the Fostering Panel.

2. DEPENDANT CARER'S ALLOWANCE

(a) Up to £13.45 per hour for childcare for up to 15 hours per week.
(b) Up to £13.45 per hour towards the cost of a care attendant for an elderly or disabled relative (including a disabled child) for up to 15 hours per week.

The person providing the care may not be a close relative, defined as spouse, partner (opposite or same sex cohabitees), parents, children, brothers, sisters, grandparents and grandchildren. The paid care attendant must sign a receipt to show that they have cared for the dependent during the hours claimed for.

A claim may be made for the cost of a paid care attendant to look after children or elderly or disabled relatives when undertaking particular duties as set out below:

- a meeting of the authority
- a meeting of a committee or sub-committee of the authority
- a meeting of some other body to which the authority makes appointments or nominations

or

- a meeting of a committee or sub-committee of a body to which the authority makes appointments or nominations
- a meeting which has **both** been authorised by the authority, a committee, or sub-committee of the authority or a joint committee of the authority and one or more authorities, or a sub-committee of a joint committee **and** to which representatives of more than one political group have been invited (if the authority is divided into several political groups) or to which two or more councillors have been invited (if the authority is not divided into political groups)
- a meeting of a local authority association of which the authority is a member
- duties undertaken on behalf of the authority in pursuance of any standing order requiring a member or members to be present while tender documents are opened
- duties undertaken on behalf of the authority in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises
- duties undertaken on behalf of the authority in connection with arrangements made by the authority for the attendance of pupils at a school approved for the purposes of section 342 of the Education Act 1996
- any other duty approved by the authority in connection with discharging the duties of the authority or its committees or sub-committees.

Note: This allowance is taxable.

3. TRAVELLING AND SUBSISTENCE EXPENSES

3.1 Travelling and subsistence expenses may be claimed when a councillor is on Council business which is an approved duty as set out below:

- a meeting of the authority
- a meeting of a committee or sub-committee of the authority
- a meeting of some other body to which the authority makes appointments or nominations
- a meeting of a committee or sub-committee of a body to which the authority makes appointments or nominations
- a meeting which has both been authorised by the authority, a committee, or sub-committee of the authority or a joint committee of the authority and one or more authorities, or a sub-committee of a joint committee and to which representatives of more than one political group

have been invited (if the authority is divided into several political groups) or to which two or more councillors have been invited (if the authority is not divided into political groups)

- a meeting of a local authority association of which the authority is a member
- duties undertaken on behalf of the authority in pursuance of any standing order requiring a member or members to be present while tender documents are opened
- duties undertaken on behalf of the authority in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises
- duties undertaken on behalf of the authority in connection with arrangements made by the authority for the attendance of pupils at a school approved for the purposes of section 342 of the Education Act 1996
- any other duty approved by the authority in connection with discharging the duties of the authority or its committees or sub-committees.

Claims must be supported by receipts/spent tickets in order to be non-taxable.

Expenses may **NOT** be claimed for:

- meetings of political groups.
- attendance at Public Local Enquiries by councillors appointed by Planning Committee.
- attendance at Public Meetings not convened by the Council.
- attendance at School Governors' Meetings.

3.2 **SUBSISTENCE ALLOWANCE**

• Breakfast allowance	£9.15
• Lunch allowance	£12.64
• Tea allowance	£5.01
• Evening meal allowance	£15.65
• Overnight subsistence	£82.21 a day outside London
	£93.77 a day in London or at LGA Annual Conferences

The subsistence limits referred to above may be exceeded in exceptional circumstances at the discretion of the Monitoring Officer, eg to enable a Councillor and an officer attending a conference to stay at the same accommodation, subject to there being sufficient budget provision.

3.3 **TRAVEL ALLOWANCE**

3.3.1 **By Councillor's Own Car**

The rate paid for travel by councillor's own motor vehicle is 55p per mile. (25p per mile for any miles above 10,000 in one tax year)

A claim may also be made for carrying passengers (not exceeding four) who would qualify for travelling allowance. The rate payable is 3p per mile for the first passenger and 2p per mile for second and subsequent passengers.

3.3.2 **Car Park Fees etc.**

The costs incurred in car parking fees, tolls and ferries may be claimed.

3.3.3 **By Councillor's Own Motorcycle**

The rate paid for travel by a councillor's own solo motorcycle is 40.9 p per mile.

3.3.4 **By Councillor's Own Bicycle**

The rate paid for travel by a councillor's own bicycle is 37p per mile.

The cycle to work scheme for officers has been extended to councillors.

3.3.5 **Public Transport**

The cost of the ordinary fare, cheap fare or portion of any weekly ticket may be claimed.

3.3.6 **Taxis**

When travelling by taxi, the equivalent of the fare for appropriate public transport is claimable UNLESS it is a case of urgency or no public transport is reasonably available. In this case a claim may be submitted for the actual fare and any reasonable gratuity paid.

This means, for example, a councillor using a taxi on non-urgent business during the day when there is a bus service available can only claim the cost of the bus fare. However, using a taxi late at night, when the bus service had ended, a claim for the total cost of the journey may be made.

Councillors with access disabilities which prevent their use either of private cars or public transport, may travel by taxi and reclaim both their actual fare and any reasonable gratuity paid.

4. CO-OPTEES' ALLOWANCES

Co-optees' Allowances are payable solely to non-councillor members of the Standards Committee attending meetings of the Committee or any Sub-Committee set up by the Committee as part of its process of assessing, investigating and hearing complaints about Councillors; the allowances to be paid at the daily rate equivalent of the Councillors' Basic Allowance; the Monitoring Officer to be authorised to settle the rate to be paid on each occasion.

5. PROVISION FOR WITHHOLDING OF ALLOWANCES UNDER CERTAIN CIRCUMSTANCES

Where a councillor is fully or partially suspended from their duties, their basic allowance may be fully or partly withheld.

Travel and subsistence allowances may be withheld where a councillor has been suspended from duties or responsibilities which attracted these allowances.

Where a councillor is fully or partially suspended from any duties or responsibilities which attract special responsibility allowance, those allowances may be withheld by the authority.

Co-optees' allowance may also be withheld where a co-optee is partially or fully suspended from their duties.

Dependant carer's allowance may not be withheld from councillors.

6 PAYMENT OF ALLOWANCES/EXPENSES

6.1 Claim Forms

All expenses can be claimed on the one form (except Basic and Special Responsibility Allowances, which are paid automatically).

Time and place of departure may be from work, it does not have to be a home to home journey but claims must show clearly where you are travelling from and to. Completed forms should be sent to the Councillor Services Team who will forward them to the Payments Section.

6.2 Payment Dates

Allowances will be paid at the end of each month. The usual payment date is 25th of the month. To ensure payment is received by the end of the month, claims should be submitted **by the 7th of the month**. It is essential that claims are submitted regularly and do not build up, to allow effective budgetary monitoring.

6.3 **Taxation Allowances**

Basic, Special Responsibility and Dependant Carers' Allowances are taxable income. HM Inspector of Taxes, Reading South 1 District is provided with the names of new councillors and asks them for appropriate information from which a PAYE tax code can be issued. Alternatively, a councillor may apply to HM Inspector to pay tax at the standard rate, although the only advantage in this method seems to be a greater element of privacy than with a normal tax code.

It is necessary to apply a temporary tax code on allowances until instructions are received from HM Inspector.

In returning the tax assessment forms, members are able to claim certain expenses which would reduce tax liability. These are expenses incurred wholly, exclusively and necessarily in the performance of the duties of the councillor not reimbursed by the Council; they can extend beyond direct Council work for example to the costs of dealing with Ward work, such as travelling, telephone calls, stationery and postage, provided they are not of a political nature. The decision on what is acceptable is made by the Inspector of Taxes who may ask for the actual figures to be returned by a member after the year end.

Travelling and subsistence allowances are not taxable, provided receipts or spent tickets are submitted with claims.

6.4 **National Insurance Contributions**

Basic and Special Responsibility Allowances are subject to a National Insurance contribution on the whole amount of allowances where the weekly average since the previous payment (or from the first week of the tax year, if later) exceed the 'lower earnings limit'. Some married women are still eligible to pay at 3.85% and retired persons are exempt, but in either case, an appropriate certificate from the Department of Social Security must be produced.

A Councillor who has more than one employment and expects to pay National Insurance contributions on earnings at the upper earnings limit throughout the year in one of them, or a combination of some of them, may apply for deferment of contribution liability in the other employment(s). If the application for deferment is accepted, payment of contributions in the other employment(s) will be excused and the employer(s) authorised not to make any deduction of National Insurance.

Any councillor interested in deferment of National Insurance contributions should refer to DSS Leaflet NP28 for further information.

6.5 **Councillors Receiving Benefit**

Entitlement to Income Support/Job Seekers Allowance/Universal Credit may be affected by the Councillor allowance.

7. ACCESS TO LOCAL GOVERNMENT PENSION SCHEME

Eligible Councillors will be able to join the Local Government Pension Scheme, in accordance with The Local Government Pension Scheme (Elected Member Pensions) Regulations 2026.

8. FINANCIAL ADVICE

Councillors who would like financial advice should contact:

Teresa Regan
Tel: 01959 561 000
Email: teresa.regan@fluentifa.co.uk
Address: Victory Way, Admirals Park, Crossways, Dartford, Kent, DA2 6AG

Or alternatively contact the Councillor Services Team who can make an appointment for you.

9. **SALARY SACRIFICE SCHEME**

- Bus to Work Scheme
- Childcare Vouchers
- Cycle to Work Scheme