

## CONSTITUTION AND MEMBERS' DEVELOPMENT COMMITTEE

**Date:** Friday 8th October, 2021  
**Time:** 3.00 pm  
**Venue:** Virtual

**Please note this is a virtual meeting.**

**The meeting will be livestreamed via  
the Council's YouTube channel at  
[Middlesbrough Council - YouTube](#)**

### AGENDA

1. Minutes - Constitution and Members' Development Committee - 26 February 2021 3 - 6
2. Declarations of Interest
3. Member Development Update 7 - 30
4. Constitution - Work Plan Report 31 - 42
5. Members Attendance at Training 43 - 48
6. Paperless Meetings  
To Follow
7. Exempt Reports
8. Any of other urgent items which in the opinion of the Chair, may be considered.
9. Date of next meeting - 10 December 2021

Charlotte Benjamin  
Director of Legal and Governance Services

Town Hall  
Middlesbrough  
30 September 2021

**MEMBERSHIP**

Councillors J Hobson (Chair), A Bell (Vice-Chair), A Hellaoui, B Hubbard, D Rooney, M Saunders, M Storey, C Wright and D Coupe

**Assistance in accessing information**

**Should you have any queries on accessing the Agenda and associated information please contact Caroline Breheny, (01642) 729752, [caroline\\_breheny@middlesbrough.gov.uk](mailto:caroline_breheny@middlesbrough.gov.uk)**

**CONSTITUTION AND MEMBERS' DEVELOPMENT COMMITTEE**

A meeting of the Constitution and Members' Development Committee was held on Friday 26 February 2021.

**PRESENT:** Councillors J Hobson (Chair), L Garvey (Vice-Chair), A Hellaoui, J Rathmell, D Rooney, B Cooper (Substitute for M Saunders), M Storey and T Higgins (Substitute for J Thompson)

**OFFICERS:** C Benjamin, B Carr, C Breheny and I Wright

**APOLOGIES FOR ABSENCE:** Councillors B Hubbard, M Saunders and J Thompson

5 **MINUTES - CONSTITUTION AND MEMBERS' DEVELOPMENT COMMITTEE - 23 OCTOBER 2020**

The minutes of the Constitution and Members' Development Committee held on 23 October 2020 were approved as an accurate record.

6 **DECLARATIONS OF INTEREST**

There were no declarations made at this point in the meeting.

7 **UPDATE - COUNCIL CONSTITUTION**

The Director of Legal and Democratic Services presented the report and advised the Committee and Members of the public watching the broadcast that the Constitution was a live document that was continually updated. There were six points that would be subject to discussion at today's meeting namely; motions of no confidence, voting on appointments at committees, the provision of information for scrutiny chairs and members, motions generally, a proposed notice of motion form and timescales for amendments to motions.

In respect of motions of no confidence the Committee was advised that the constitution was currently silent on motions of no confidence. This did not mean that motions of no confidence could not be brought, as a motion of no confidence could be treated as a general motion. However, the provisions within the constitution in relation to motions currently stated that any motion that referred to an individual's character or conduct was prohibited. Therefore there was a need for the Committee to consider whether it wished for the Constitution to include provision for motions of no confidence to be brought in relation to an individual's character or conduct. Any motions that were deemed to be defamatory or vexatious would remain invalid.

It was advised that the report contained a number of suggestions in relation to behaviour that could lead to a motion of no confidence being brought and it was for the Committee to determine whether it wished for this criteria to be included in the Constitution. The Monitoring Officer advised exercising caution about – how much the Committee wished to accept and how much the Committee felt it was appropriate. The impact of a motion of no confidence also varied depending on whom it was brought. For example, the Mayor could not be removed by a motion of no confidence and if a motion of no confidence was brought against an Executive Member and approved by Full Council that Executive Member could only be removed by the Mayor.

The Committee was advised that a motion of no confidence in a Chair could be brought at a Committee, the Committee would then vote on that motion and if it was approved it would then be referred to full Council. Full Council would vote on the motion of no confidence and if approved the Chair would be removed from post and a new Chair appointed by Full Council.

Members discussed the merits of including examples within the Constitution and the view was expressed that these should not be included. Instead anyone wishing to bring a motion of no confidence should be advised to seek guidance from the Monitoring Officer / Deputy Monitoring Officers.

In respect of voting on appointments at committee it was advised that Full Council had

recommended that the Committee consider the legal position as to whether Executive members could participate in voting at the Council AGM with regard to Scrutiny/Audit Committee appointments and a report on the outcome be brought back to Full Council. It was advised that the guidance contained in 'Knowles on Local Authority Meetings – a manual of law and practice' made it clear that a decision made by Full Council, should be reached by the required majority of councillors present and voting at a properly constituted meeting. The Local Government Act 1972, s.2B provided that the Mayor was to be treated as a member of the council when voting at meetings, and therefore the guidance above also applied to the elected Mayor. The guidance thereby indicated that the Executive could take part in voting on all Committee appointments including in respect of Scrutiny Chairs.

All of the Tees Valley local authorities had been contacted and all had advised that their appointments to Chairs and positions on Committees were determined by the whole of the membership of the Council.

Reference was made to the Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities (May 2019), which had identified that the method for selecting a Chair was for each authority to decide for itself, however every authority should consider taking a vote by secret ballot. It was advised that whilst meetings were being conducted virtually consideration was being given to the introduction of a voting app. However, at this stage further work was needed in respect of this area and it could not be undertaken at present.

In respect of the role profiles that had been developed for Scrutiny Chairs Members expressed the view that further work was required. Consideration was given to the proposal that when groups were considering, selecting or nominating a Member to be appointed as a Scrutiny Chair a Member should have at least one year's experience of being on that particular Panel prior to nomination. Mixed views were expressed and it was suggested that there would be benefit in forming a working group of Officers and Members outside of the formal Committee to enable Members to give further consideration to the issues raised and the role of Scrutiny Chairs prior to formal consideration of any proposals.

With regard to motions it was advised that from an operational perspective it was felt that improvements could be made to some processes that may help Members' and Service Directors understand the possible impact of motions before submitting them and identify who would be responsible for ensuring actions could be tracked and monitored. It was therefore proposed that the time for submitting motions with notice be extended to 9 clear working days. Motions would need to be submitted by 5pm prior to the 9th clear working day. This would allow time for discussions / consultation with the Monitoring Officer / Deputy Monitoring Officer / Section 151 Officer or Service Director where appropriate and allow time for alterations where required.

Finally it was proposed that any known amendments to Motions must be submitted 2 working days prior to the meeting to allow time for discussions/consultation with the Monitoring Officer / Deputy Monitoring Officer / 151 officer or Service Director where appropriate, to ascertain if the amendment was lawful or valid. This would allow the Chair to read any proposed amendments out at the meeting, therefore providing members with clarity with regard to the amendment to the Motion and clarity on what they were voting on.

Following discussion it was felt that reference to 'known' amendments was unhelpful and that the word 'known' be removed. With regards to budget amendments Members expressed the view that the submission of amendments 3 clear working days prior to the meeting was acceptable, as there was ample opportunity for Members to approach the Section 151 Officer in advance.

It was also proposed that when submitting a Motion, a Motions Form be submitted to ensure that all the necessary information was included which would enable appropriate consideration by the Chair of the Council and the Monitoring Officer.

**AGREED** as follows:-

- a) That the proposals in respect of votes of no confidence be forwarded to full Council to be debated subject to the removal of the examples. The examples would be substituted with the following wording 'votes of no confidence may be brought following consultation with the Monitoring Officer / Deputy Monitoring Officer.'

- b) That all Members of Council vote on appointments of Committee Chairs and members and that this be referred back to Council in advance of the Annual General Meeting.
- c) That the role profile developed for scrutiny chairs be endorsed with the exception that there be no requirement for groups to select a Member with at least one year's experience of being on a particular panel prior to nomination to be appointed as a Scrutiny Chair. A working group of Officers and Members be established to discuss the development of broader profile proposals in advance of formal consideration by the Committee. That the authority aspire to taking a vote by secret ballot, as the method for selecting Scrutiny Chairs once the electronic voting app has been tried and tested.
- d) That the timescale for submitting a Motion from 7 working days to 9 working days for Notice of Motions be approved and this be referred to full Council.
- e) That the proposals to introduce the use of a Notice of Motion form to gather additional information be endorsed.
- f) That the proposal to submit amendments to motions 2 working days before the meeting be endorsed and 3 working days for budget amendments and this be referred to full Council.

8           **TERMS OF REFERENCE - VERBAL UPDATE**

The Principal Democratic Services Officer advised that a request had been received for Corporate Health and Safety to report directly to Corporate Affairs and Audit. Currently the Corporate Health and Safety Committee is an advisory committee to Council, in some respects it would seem appropriate to become a working group of Corporate Affairs and Audit Committee. It was advised that any such proposal would have to be submitted to full Council for approval. In practical terms it avoids the overlap of the Committees undertake. Another option would be clarify the terms of reference of the Corporate Health and Safety Committee. The view was expressed that this would need to be discussed by the Corporate Health and Safety Committee, as the Membership involved the Unions and further discussion would be needed.

**AGREED** that further consideration be given to the request for Corporate Health and Safety to report directly to Corporate Affairs and Audit.

9           **ANY OF OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED.**

10          **DATE OF NEXT MEETING - 12 MARCH 2021**

The Chair advised that the meeting scheduled for 12 March 2021 would be rearranged for a later date.

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<b>Report of:</b>	Head of Democratic Services – Sylvia Reynolds
<b>Submitted to:</b>	Constitution and Members Development Committee
<b>Subject:</b>	Member Development Framework & Member Development Programme for 2021/22

**Summary**

<b>Proposed decision(s)</b>
To note the Member Development Skills Framework and proposed Member Development Programme for 2021/22

<b>Report Not for:</b>	<b>Key decision:</b>	<b>Confidential:</b>	<b>Is the report urgent?<sup>1</sup></b>
Nothing	No	No	No

<b>Contribution to delivery of the 2021-24 Strategic Plan</b>		
<b>People</b>	<b>Place</b>	<b>Business</b>
Not applicable	Not applicable	Not applicable

<b>Ward(s) affected</b>
Not applicable

**What is the purpose of this report?**

1. To advise Members of the attached Member Development Skills Framework (appendix 1) for all elected Members which was approved at the Constitution and Development Committee on 19 January 2018. The Framework supports the previously agreed Member Development Policy. Members are also asked to note the proposed Member Development Programme for 2021/22 (appendix 2).

**Why does this report require a Member decision?**

2. This report is for information only.

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<sup>1</sup> Remove for non-Executive reports

## **Report Background**

3. At the Constitution and Member Development Committee held on 11 November 2016, it was agreed that a Skills Framework for Members be introduced which would help identify individual development needs around the following competencies:
  - Local leadership;
  - Partnership working
  - Communication skills
  - Political understanding
  - Scrutiny challenge; and
  - Regulatory and monitoring
4. The above competencies form part of the Local Government Associations (LGA) Political Skills Framework which sets out the key knowledge and skills needed to support new and experienced councillors in their efforts to develop the knowledge and skills to be effective in their role.
5. Much of the framework will be delivered internally and Members would still in part be supported by officers within Democratic Services, however one key element in delivering the framework would be through self-reflective learning undertaken by the Councillors themselves ie, e-learning, shadowing and coaching.
6. This may also be supported by attended at some external events such as the LGA Leadership Academy or events arranged locally, collaborating with other local authorities to minimise costs.
7. In order to attend external events such as the LGA Leadership Academy (which incur greater costs), Members would need to meet certain criteria before attendance is approved i.e. shown that the event is relevant to their portfolio/role and have undertaken a personal development plan.
8. The Member Development Programme has been designed to support the Member Development Skills Framework and will be a live working document which can be added to at any time. The programme will identify which element of the skills framework the event is aimed at supporting. The programme will be implemented from approval.

### **What decision(s) are being asked for?**

9. That Members note the Member Development Skills Framework and proposed Member Development Programme for 2021/22

### **Why is this being recommended?**

10. To provide Members with the appropriate skills and knowledge to fulfil their role as an elected member.

### **Other potential decisions and why these have not been recommended**

11. Not applicable



**Impact(s) of recommended decision(s)**

***Legal***

12. No impact

***Financial***

13. There is a small budget allocated within the overall Members budget for training and development to cover the costs of additional training that will need to be provided through the Member Development Framework.

***Policy Framework***

14. Not applicable. The report does not propose an amendment to the policy.

***Equality and Diversity***

15. Not applicable

***Risk***

16. Not applicable.

**Actions to be taken to implement the decision(s)**

**Appendices**

17. Member Development Skills Framework (appendix 1), Member Development Programme 2021/22 (appendix 2)

**Background papers**

<b>Body</b>	<b>Report title</b>	<b>Date</b>
	Member Development Skills Framework	19 January 2018

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# Middlesbrough Council



## Member Development Skills Framework for Councillors

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## Introduction

The Skills Framework supports the Member Development Policy; aims to assist Members to develop their leadership skills and knowledge in relevant disciplines; and it will provide them with the opportunities, experience and knowledge to meet the challenges and risks associated with the role of an elected member.

## WHAT IS THE COMPETENCY SKILLS FRAMEWORK AND WHY HAS IT BEEN DEVELOPED?

The Competency Skills Framework, which has been developed in line with Local Government Association's Political Skills Framework, sets out the knowledge and skills required to enable members to be effective in their role as a Councillor.

It enables members to develop their knowledge and skills by providing the necessary training and support throughout their term as a Councillor.

### The six core skills for Councillors

The six core competencies highlighted in the Political Skills Framework include:-

- (i). **Local Leadership** – engaging with the community in order to learn, understand and deal with any issues of local concern. The Councillor should also be able to mediate between different residents/groups in the community, in a fair and constructive manner, encouraging trust from all sections of the community.
- (ii). **Partnership working** – building positive relationships by making others feel valued, included and trusted, and by working collaboratively to achieve goals. The Councillor should be able to recognise when to delegate, provide support or empower others to take responsibility and understand and act on their role in building and shaping key partnerships at local, regional and national levels.
- (iii). **Communication skills** – listening carefully to people and providing regular feedback and ensuring that expectations are managed. The Councillor should also try to inform and communicate with people using all available media e.g. internet, newsletters and email etc. Councillors should also be supported to be able to speak confidently in public settings e.g. council and community meetings and dealing with the media.
- (iv). **Political understanding** – acting ethically, consistently and with integrity when making decisions, campaigning or canvassing. The Councillor should also be able to look at ways to promote democracy and increase public engagement and to work across Political boundaries when required, without compromising political values.

- (v). **Scrutiny and challenge** – acting as a critical friend by identifying suitable areas for scrutiny, providing constructive feedback and ensuring that residents and communities are involved in the scrutiny process. Members should be supported to be able to understand and analyse complex information, ask challenging but constructive questions and present clear concise arguments that are easily understood.
- (vi). **Regulating and monitoring** – understanding and acting on members’ judicial role in meeting legal responsibilities such as duty of care and corporate parenting. Members should be able to use evidence to evaluate arguments and make independent, impartial judgements. Members should also receive support to monitor their own and others’ performance and look for opportunities to learn.

### Positive and Negative Indicators

Each of the skill set definitions describe what is expected of councillors if they are to be effective and influential in their role.

Positive (desirable) behaviours and Negative (undesirable) behaviours are included for each of the skill sets. It is not expected that any member could demonstrate excellent levels of positive behaviour all of the time, and never demonstrate any Negative behaviour, but excellent councillors generally demonstrate far more Positive than Negative characteristics.

These behaviours are described as positive and negative indicators because they provide an indication of the types of behaviour that councillors associate with excellent and poor performance.

### Local Leadership

Positive	Negative
Engages with community, canvasses opinion and looks for new ways of representing people	Doesn't engage with their community, waits to be approached and is difficult to contact
Keeps up-to-date with local concerns by drawing information from diverse sources, including hard to reach groups	Maintains a low public profile, not easily recognised in their community
Encourages trust and respect by being approachable, empathising and finding new ways to engage with others	Treats groups or people unequally, fails to build integration or cohesion
Creates partnerships with different sections and groups in the community and ensures their involvement in decision-making	Has a poor understanding of local concerns and how those might be addressed.
Mediates fairly and constructively between people and groups with conflicting needs	Concentrates on council processes rather than people

Works with others to develop and champion a shared local vision	Is unrealistic about what they can achieve and fails to deliver on promises
-----------------------------------------------------------------	-----------------------------------------------------------------------------

### Partnership Working

Positive	Negative
Works proactively to build good relationships with colleagues, officers, community groups and other organisations	Prefers to exert control, impose solutions or criticise and using status rather than through persuasion, involving others and constructive feedback
Emphasis on achieving shared goals by maintaining focus and mobilising others	Fails to recognise or make use of others' skills and ideas
Knows when to delegate, provide support or empower others to take responsibility	Typically avoids working with people with different views or political values
Makes people from all backgrounds feel valued, trusted and included (e.g. says 'thank you')	Prefers to act alone and fails to engage or network with others.
Understands and acts on their role in building and shaping key partnerships at local, regional and national levels	Often uses divisive tactics to upset relationships within their group, or council policies and decisions
Understands how and when to assert authority to resolve conflict or deadlock effectively	Defensive when criticised, blames others and doesn't admit to being wrong

### Communication Skills

Positive	Negative
Provides regular feedback to people, making sure they are kept informed and manages expectations	Slow to respond to others; tends to communicate only when necessary
Regularly informs and communicates with their community using all available media (eg, internet newsletters and email)	Doesn't listen when people are speaking and uses inappropriate or insensitive language
Listens to others, checks for understanding and adapts their own communication style as required	Communicates in a dogmatic and inflexible way
Creates opportunities to communicate with different sectors, including vulnerable and hard to reach groups	Unwilling to deliver unpopular messages, uses information dishonestly to discredit others.
Speaks confidently in public settings (e.g. in council and	Tends not to participate in meetings and lacks confidence when speaking in public

community meetings, and the media)	
Communicates clearly in spoken and written forms (e.g. uses appropriate language and avoids jargon or 'council speak')	Presents confused arguments using poor language and style

### Political understanding

Positive	Negative
Demonstrates a consistency in views and values through their decisions and actions	Lacks integrity, has inconsistent political values and tends to say what others want to hear
Helps to develop cohesion within and between different groups and also between different groups and the council	Puts personal motives first or changes beliefs to match those in power
Clearly communicates political values through canvassing and campaigning	Has poor knowledge of group manifesto, values and objectives
Actively develops their own political intelligence (e.g. understanding local and national political landscapes)	Fails to support political colleagues in public.
Looks for ways to promote democracy and increase public engagement	Doesn't translate group values into ways of helping the community
Is able to put party politics aside and work across political boundaries when required, without compromising political values	Lacks a clear political vision of what they would like to achieve

### Scrutiny and Challenge

Positive	Negative
Identifies areas suitable for scrutiny and ensures that citizens and communities are involved in the scrutiny process and ensure topics align with key council and mayoral objectives	Doesn't prepare well or check facts and draws biased conclusions
Quickly understands and analyses complex information	Too reliant on officers, tends to back down when challenged
Presents concise arguments that are meaningful and easily understood	Fails to see scrutiny as part of their role
Understands the scrutiny process, asks for explanations and checks that recommendations have been implemented	Too focused on detail, doesn't distinguish between good, poor and irrelevant information



Objective and rigorous when challenging process, decisions and people	Uses scrutiny resources inappropriately (eg, on issues over which they have no influence)
Asks challenging but constructive questions	Overly aggressive: prefers political 'blood sports' to collaboration and uses scrutiny for political gain

### Regulating and monitoring

Positive	Negative
Understands and acts on their judicial role in meeting legal responsibilities (e.g. duty of care, corporate parenting)	Doesn't declare personal interests, makes decisions for personal gain
Uses evidence to evaluate arguments and make independent, impartial judgements	Fails to check facts or consider all sides and makes subjective or uninformed judgements
Chairs meetings effectively, follows protocol to make sure all views are explored and keeps process on track	Leaves monitoring and checks on progress to others
Follows legal process, balances public needs and local policy	Makes decisions without taking advice, considering regulations or taking account of wider issues
Monitors others' performance and intervenes when necessary to ensure progress	Doesn't Understand or abide by the councillor's code of conduct
Is committed to self-development, seeks feedback and looks for opportunities to learn	Misses deadlines, leaves business unfinished and lacks balance between council and other commitments

### Learning Resources for delivering the Framework

In delivering the Framework the following learning resources would be utilised:-

- Member inductions;
- Members' Handbook;
- Workshops/seminars /briefings;
- Self-review / Assessment – LGA workbooks;
- Feedback - review mechanism;
- Mentoring; (political groups)
- Personal Development Plans
- E-learning materials – LGA materials accessible through the Council intranet
- Leadership academy

## **HOW WILL THE FRAMEWORK BE DELIVERED?**

An annual Member Development Programme is produced to meet member development needs and shows how the events/briefings/seminars are aligned with this skills framework (Appendix1). This programme will be submitted to the Constitution and Member Development Committee on an annual basis.

Currently, a variety of approaches is taken to meeting Members' collective and individual development needs.

These include:

Role specific skills and knowledge are delivered through a variety of methods. For example, training sessions are offered to Committee Chairs in chairing skills whilst Senior/Executive Members are offered the opportunity to attend LGA Leadership Academy events (subject to certain criteria).

### **Training on corporate initiatives and strategies**

Keeping Members informed and up to date is one of the essential outcomes for member development. A programme of events seminars is organised throughout the year to brief and engage Members on key issues. The subject of each seminar is determined either by Member request, by a service or legislative changes.

### **Member Induction**

All newly elected will be offered an Induction Programme which will cover the basic areas of knowledge necessary to newly elected Councillors. However, re-elected Members are also welcome to attend should they require a refresher or be willing to share their knowledge and experience with their new colleagues. The Programme will provide information on

- ❖ How the Council works (i.e. governance);
- ❖ The Mayor's Vision;
- ❖ The legal requirements, roles and responsibilities of Members;
- ❖ Protocols and requirements in respect of ethics and probity;
- ❖ An introduction to the services provided by the Council

### **Generic skills development**

Generic skills development and awareness training and drop in sessions are offered to Members on subjects such as IT and information systems throughout the year. IT skills are particularly important in order to ensure that Members are able to play a full role in modern organisations. Officers will look for themes from Personal Development conversations to help identify where generic skills training may be useful.

### **Required Development**

The Council protocol is that Members will be required to undertake training or attend briefings in respect of certain roles and in order to serve on certain Committees. This is aimed at protecting members and the Council from prospect challenge to legislative decision making. This training programme is organised on an annual basis, following the AGM, when committee membership is confirmed. Ad hoc one-to-one training will be provided for any subsequent changes to committees.

These would include Planning & Development Committee, Licensing Committee and Sub-Committees, Standards Committee and Standards Hearings Sub-Committee, Staff Appeals Committee, Corporate Affairs and Audit Committee, Teesside Pension Fund, Teesside Pension Board and Family Placement Panel. This training should be undertaken on an annual basis.

Whilst training may be devised for specifically for committee Members, these events are open to all members to attend, which will also aid groups should they wish to appoint a substitute to attend a committee in the case of absence of one of their Members.

Newly elected Chairs and Vice-Chairs will also be required to attend Chairs' training sessions following the Council AGM (or appointment if not appointed at the AGM)

### **Standards - Code of Conduct**

All Members are required to undertake training in respect of the Code of Conduct.

### **Personal Development**

It is up to each individual Councillor to take responsibility for their own individual development. Where skills or knowledge gaps are identified through a Personal Development conversation, Officers can advise on possible training activities which could meet the development need.

Members are encouraged to consider different approaches to their development, including: requesting a one to one with an appropriate officer, undertaking site visits, discussing a matter with a more experienced Member, carrying out some personal research or attending an external event.

Where possible, the Council will seek to offer training and development opportunities with other local authorities and partner organisations and provide joint training activities where appropriate.

Each political group may also provide opportunities for training within their own group.

### **In Year Ad Hoc Opportunities**

The Development Programme provides a range of different opportunities for attendance at a range of learning events. These will include conferences, seminars, training courses, briefings, workshops and forums.

Members will be invited by Democratic Services or the Service Area planning the event, to attend internal events and briefing sessions that either appear in the Programme or are added to the Programme throughout the year.

Any Member can also request other events/ topics to be included in the Programme. Whenever there is sufficient interest from Members in respect of a topic, or where the topic is considered by the Constitution and Members' Development Committee to be of sufficient importance, all efforts will be made to accommodate these requests.

There will also be some opportunities to attend external events subject to certain criteria, details of which are dealt with at page 12(below).

All Members will be given the opportunity to undertake a personal development plan. This will involve Members completing a self-assessment questionnaire followed by a one-to-one session with the Members' and Statutory Services Manager or an HR representative.

As part of the framework we will work with senior Members and Chairs to consider ways of providing constructive feedback on the performance of their roles.

## **DEVELOPMENT OPPORTUNITIES FOR SENIOR MEMBERS**

Senior Elected Members have a vital role in establishing and maintaining the strategic direction of the Council. They support the Council, by acting as Community Leaders, to achieve our corporate priorities and as such a more detailed level of opportunities and a greater level of understanding of national and regional may be required.

Senior Members' include Executive Members, Chairs and Vice Chairs of committees and Scrutiny panels)

Personal development plans may also be linked to any performance framework adopted by the Mayor/deputy Mayor, which will assist in identifying any development needs of Senior Members in undertaking their respective roles and would cover such things as:

- Changes to Member Portfolio's;
- Introduction of new legislation;
- Development of new/revised policies; and
- Specific skills/knowledge requires of the position held.

### **Required Development**

All newly appointed Executive Members, Chairs and Vice-Chairs are required to attend Chairs' training sessions following the Council AGM (or on appointment as a Chair, if not appointed at the AGM).

These training sessions will cover:

- Effective chairing skills;
- An overview of their role and scope of their respective responsibilities;
- Decision making processes of the Council (both Member and Officer);
- Any audit/legislative requirements tailored to need/relevance; and
- Media skills

### **Leadership Academy**

Senior Members will be given the opportunity to apply to attend the Local Government Association's (LGA) Leadership academy or themed events aimed at supporting senior elected leaders and senior officers (see point external event criteria). The LGA have a wide ranging programme of events which will enable members to share their concerns and challenges; learn from one another; work together on addressing the big issues they face; and explore and test new ways of

working and leading across their organisations, partnerships and communities to deliver enhanced public value in these challenging times.

The Programme is designed for Councillors in leadership positions such as:

- council leaders
- deputy leaders
- group leaders
- portfolio holders
- scrutiny/committee chairs

In order to attend leadership academy then a personal development plan must have been undertaken or it must be evidenced that this meets the needs of a role specific performance indicator.

## **THE EXPECTATIONS AND RESPONSIBILITIES OF MEMBERS**

The Programme is a key part of the Council's commitment to Member Development and training and is a shared responsibility between the Council and individual Members.

In order to aid the successful delivery of the Programme, it is important that Councillors seek to fulfil their responsibilities through the following:

**Induction Programme** - all newly elected Members to engage in the Council's Induction programme.

### **Attending required training or development events**

Members who wish to sit on certain committees (such as Planning and Regulatory Committees) must have undertaken the relevant training beforehand to ensure that they are compliant with the legislation.

### **Standards of Behaviour**

All Members will be expected to undertake a training module covering:

- ❖ Code of conduct;
- ❖ Member/Officer protocols;
- ❖ Pecuniary and non-pecuniary interests;
- ❖ Gifts and hospitality.

**Personal Development Plans** - Members will have the opportunity to complete a Personal Development Plan which will enable Democratic Services to identify events that may meet the individual's needs and / or the role of the Member, and the broader requirements of the Council.

### **Records**

Democratic Services keep a record of all the learning and development activities attended by each Member. These records will be accessible through the Egenda system.

In order to aid substitutions, groups may also request a list of trained substitutes from Democratic Services.

## **Evaluation**

Members complete training evaluation forms at the end of any development event attended. This should be done as honestly and as constructively as possible, so that any necessary changes can be made accordingly to future events / programmes. Members might wish to keep a copy of these with their Personal Development Plans.

## **Sharing Learning Experiences**

When Members attend external training and development events, in some cases, Members may be asked to provide a briefing session to other Members in order to share any information/ learning acquired.

## **Attendance at External Events**

Attendance at external training and development events and conferences can assist the work and development both of individual Councillors, and of the Council, by bringing new knowledge and ideas into the Authority.

However, in order to ensure that attendance at such training events represents the best use of Council resources, it is necessary to have the following criteria for determining attendance:

- ❖ The event directly relates to the priorities and work of the Council, and to the role of the Member requesting to attend, OR
- ❖ The event directly addresses new legislation, new “best practice” requirements, or other innovation and **relates to the role of the Member**  
OR
- ❖ The event meets the personal development needs of the individual Member.

Other factors will also be taken into account, including ‘best value’ (e.g. consideration of the delegate fee, travel and accommodation costs, location and duration of the event); the budget available; and the provider.

Where Council funding is required to attend an event, authorisation must be sought from the Members’ & Statutory Services Manager or Head of Legal and Democratic Services. Failure to seek authorisation may result in costs not being refunded.

Members wishing to attend such events should therefore contact the Members’ & Statutory Services Manager, **before** booking any event. Members should give as much notice as possible of events that they wish to attend, in order to ensure any early bird booking/travel discounts can be achieved. Booking and travel arrangements should be administered through Democratic Services.

Individual Political Groups may have their own protocol with regards to authorising the attendance at external events.

<b>MEMBER DEVELOPMENT PROGRAMME 2021/22 – LIVE DOCUMENT</b>
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Member Development and Training opportunities are generally open to all Members to attend. 'Required' events are ran on an annual basis aimed specifically at committee members (and substitutes), to ensure any regulatory requirements are adhered to, although other relevant optional modules may occur throughout the year. Ad hoc 1-1 training will be delivered where changes to committees change throughout.

**REQUIRED TRAINING**

<b>TOPIC</b>	<b>Link Skills Framework</b>	<b>REASON</b>	<b>Attendees</b>	<b>Notes</b>	<b>Key Contact</b>
Planning & Development Committee	Regulating and Monitoring	Required Training	Planning & Development Committee Members & subs	COMPLETED - 27 May 2021	Georgina Moore/Paul Clark
Licensing Committee – Taxis	Regulating and Monitoring Political Understanding	Required Training	Licensing Committee Members & subs	COMPLETED - 14 June 2021	Jo Dixon/Scott Bonner
Teesside Pension Fund	Regulatory and Monitoring	Required Training	Teesside Pension Fund Members & subs	COMPLETED - 17 June 2021	Sue Lightwing/Nick Orton
Corporate Affairs and Audit Committee	Regulating and Monitoring Scrutiny and challenge Political Understanding	Required Training	Corporate Affairs and Audit Committee Members & subs	COMPLETED - 24 June 2021	Sue Lightwing
Staff Appeals Training	Regulatory and Monitoring	Required Training	Staff Appeals Committee Members & subs	COMPLETED - 29 June 2021	Jo McNally/Andrew Perriman/Nicola Finnegan
Standards Committee	Regulating and Monitoring Political Understanding	Required Training	Standards Committee Members & subs	Date TBA	Charlotte Benjamin/Sylvia Reynolds

TOPIC	Link Skills Framework	REASON	Attendees	Notes	Key Contact
Member/ officer / Protocol- Micro session	Regulatory and Monitoring Political Understanding Partnership working	Required Training	All Members	Date TBA	Charlotte Benjamin/Sylvia Reynolds
Decision Making Processes of the Council – Micro Session		Required Training Skills Framework	Senior Members	8 November 2021	Sylvia Reynolds
Media Skills		Required Training Skills Framework	Senior Members	Date TBA	Jo McNally
Effective Chairing Skills		Required Training Skills Framework	Senior Members	Date TBA	Jo McNally
GDPR	Regulatory and Monitoring Political Understanding	Required Training Skills Framework	All Members	Date TBA	Michael Brearley

#### SENIOR MEMBER TRAINING

TOPIC	Link Skills Framework	REASON	Attendees	Notes	Key Contact
Communication and Media Political Leadership Masterclass	Communication & Local Leadership	Executive Members Training	Mayor /Executive Members	9 July 2021 <b>(Mayor Andy Preston &amp; Eric Polano)</b> 26 November 2021 Virtual <b>(Barrie Cooper)</b>	LGA – fully subsidised
Leadership Essentials – Finance	Regulatory and Monitoring Political Understanding	Skills Framework	Executive Member for Finance	18-19 September 2021 14-15 October 2021	LGA – fully subsidised



TOPIC	Link Skills Framework	REASON	Attendees	Notes	Key Contact
				6-7 November 2021	
Leadership Essentials – Children’s Services	Regulatory and Monitoring Political Understanding	Skills Framework	Executive Member for Children’s and Children’s Scrutiny Panel Chairs Chair of Corporate Parenting Board	23-24 September 2021 21-22 October 2021 <b>(Cllr Stephen Hill)</b> 20-21 November 2021 – Virtual <b>(Mayor Andy Preston)</b>	LGA – fully subsidised
Leadership Essentials Audit Committee	Regulatory and Monitoring Local Leadership, Challenge Political Understanding	Skills Framework	Audit Committee Chair and Executive Member for Finance	19-20 January 2022 19-20 February 2022	LGA – fully subsidised
Leadership Essentials Effective Scrutiny	Regulatory and Monitoring Local Leadership, Challenge Political Understanding	Skills Framework	Scrutiny Committee Members, Chair/Vice Chair	15-16 January 2022 – <b>(Cllr Tom Mawston)</b>	LGA – Michelle Jackland

TOPIC	Link Skills Framework	REASON	Attendees	Notes	Key Contact
Leadership Essentials Being an Effective Cabinet Member	Regulatory and Monitoring Local Leadership, Challenge Political Understanding	Skills Framework	Executive Members	15-16 July 2021 14-15 October 2021 ( <b>Eric Polano</b> ) 26-27 February 2022 ( <b>Barrie Cooper</b> )	LGA - Michelle Jackland

## SCRUTINY TRAINING

TOPIC	Link Skills Framework	REASON	Attendees	Notes	Key Contact
Scrutiny Workshop	Scrutiny and challenge Political understanding Partnership working	Skills Framework	Chairs and Vice Chairs	COMPLETED - 11 June 2021	Caroline Breheny
Scrutiny Questioning Skills	Scrutiny and challenge Political understanding Partnership working	Skills Framework	All Scrutiny Members	Date TBA	Caroline Breheny

## GENERAL MEMBER TRAINING

TOPIC	Link Skills Framework	REASON	Attendees	Notes	Key Contact
Social Media Training	Communication Local Leadership	Skills Framework	All Members	COMPLETED - 17 May 2021	Michelle Jackland/Andrew Glover
Motions – Micro session	Regulatory and Monitoring Political Understanding	Skills Framework	All Members	COMPLETED - 19 August 2021	Charlotte Benjamin/Sylvia Reynolds
Gifts & Hospitality– Micro session	Regulatory and Monitoring Political Understanding	Skills Framework	All Members	23 August 2021	Charlotte Benjamin/Sylvia Reynolds
Interests – Micro session	Regulatory and Monitoring Political Understanding	Skills Framework	All Members	22 September 2021	Charlotte Benjamin/Sylvia Reynolds
Member & Officer Development Session – Codes of Conduct	Regulating and Monitoring	Skills Framework	All Members	27 September	Michelle Jackland

	Political Understanding Leadership			2021 – Member Session provided by Bethan Evans, Governance Training & Consultancy regarding the Codes of Conduct.	
Member Development Framework – Diversity and Ethics	Leadership	Skills Framework	All Members	Date TBA - Delivery of training to Members on Diversity and Ethics	Jo McNally/Sylvia Reynolds/Michelle Jackland
Dealing with aggression and personal safety		Member Training	All Members	Date TBA	Miranda Smythe LGIU
Speed Reading and Analysing Information	Regulatory and Monitoring	Skills Framework	All Members	Date TBA	Miranda Smythe LGIU

## MEMBER BRIEFING SESSIONS

TOPIC	Link Skills Framework	REASON	Attendees	Notes	Key Contact
PCC & TVCA Election Update	Regulatory and Monitoring	Skills Framework	All Members	COMPLETED 14 <sup>th</sup> April 2021	Michelle Jackland/Steph Carter-Smith
City Fibre Briefing	Regulatory and Monitoring	Skills Framework	All Members	COMPLETED - 10 <sup>th</sup> & 14 <sup>th</sup> May 2021	Michelle Jackland/Steph Carter-Smith
Dementia Awareness	Regulatory and Monitoring	Skills Framework	All Members	COMPLETED - 16 June 2021	Emma McInnes
Parliamentary Boundary Review	Regulatory and Monitoring	Skills Framework	All Members	COMPLETED - 30 <sup>th</sup> June 2021	Sylvia Reynolds/John Stuart
Our Values	Regulatory and Monitoring	Skills Framework	All Members	COMPLETED - 6 July 2021 & 14 July 2021	Nicola Finnegan
New Middlesbrough Council Website	Regulatory and Monitoring	Skills Framework	All Members	22 <sup>nd</sup> September 2021	Tim Whitehead

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<b>Report of:</b>	Director of Legal and Governance Services and Monitoring Officer - Charlotte Benjamin
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<b>Submitted to:</b>	Constitution and Members Development Committee - 8 October 2021
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<b>Subject</b>	Update - Council Constitution
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**Summary**

**Proposed decision(s)**

That the Committee consider the priorities for future Constitution updates and recommends priority of topics that will form the basis of a future work plan for the Committee.

Report for:	Key decision:	Confidential:	Can be called-in:
Decision	No	No	No

**Contribution to delivery of the 2021-24 Strategic Plan**

People	Place	Business
Not applicable	Not applicable	Ensure decision making practices remain relevant and / or can improve openness and transparency.

**Ward(s) affected**

Not applicable
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**What is the purpose of this report?**

1. The Council's Constitution is subject to continual review together with any associated documents e.g. Scheme of Delegation, Procedure Rules and protocols to ensure that decisions taken by the Council are lawful and reflect changes in legislation and Council priorities.

**Why does this report require a Member decision?**

2. The Constitution is a live document, which from time to time requires adjustment to reflect how the Council operates. Occasionally amendments are needed to reflect changes in policy and legislation whilst others deal with inconsistencies and

presentational issues that have no effect on the agreed procedural rules. Other minor amendments are required to deal with the results of new legislation and do not require a change in Council processes.

3. A phased review of the Constitution was underway to ensure that the Constitution is fully up to date. Some topics were prioritised last year and since then amendments have been made on various topics such as motions, votes of no confidence, voting on appointments, and the Member Code of Conduct has now been refreshed approved by Council
4. This report seeks the consideration by for the next set priorities for review and that those priorities are timetabled as a future work programme for the Committee. See appendix 1.
5. The changes to the Constitution generally fall within three broad areas, which can be described as follows:-
  - a. Alterations made as a result of decisions of either the Council or the Executive.
  - b. Alterations made under the delegated powers given to the Monitoring Officer to deal with changes required as a result of legislative changes.
  - c. Alterations to improve the working of the Council or, to attempt to resolve ambiguities or amend typographical or drafting errors.
6. However it is also proposed that we consider the physical structure of the constitution and how it is laid out to improve readability and accessibility for elected members and the public.

#### **What decision(s) are being asked for?**

7. That the Committee consider the priorities for future Constitution updates and recommends priority of topics that will form the basis of a future work plan for the Committee.

#### **Other potential decisions and why these have not been recommended**

7. Not applicable

#### **Impact(s) of recommended decision(s)**

##### ***Legal***

8. No impact.

##### ***Financial***

9. No impact.

##### ***Policy Framework***

10. Not applicable. The report does not propose an amendment to the policy framework.



### ***Equality and Diversity***

11. There are no equality or diversity specific impact as any changes will affect all elected members equally

### ***Risk***

12. If the Council does not have adequate governance processes in place to ensure that it complies with all relevant legislation, it could result in a breach in governance requirements leading to (depending on the seriousness of the breach) fines, reputational damage, government intervention alongside failure to deliver organisational priorities.

### **Actions to be taken to implement the decision(s)**

13. Head of Democratic Services will implement the work plan and research appropriate topics for consideration by the Monitoring Officer and the Committee

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Section	Summary of content	Notes	Complete Yes/No	Legislation & section / or Local agreement
<b>Part 1 – Summary and Explanation</b>	This sets the scene for what the Constitution is, and how it operates. It contains brief notes about the constitution, the Executive, decision-making and challenge, what rights citizens have, and who the statutory officers are.	Wording changes required for this section Review layout and numbering - remove reference to articles	No	The Local Government Act 2000 Section 37 requires each local authority to prepare, keep up to date and publicise a document referred to in that section and in this guidance as the local authority's constitution
<b>Part 2 – Articles of the Constitution</b>	The 'regulatory' parts of the Constitution, summarised below.			
Article 1 The Constitution	Establishes the primacy of the Constitution, and sets out its purpose.	Wording changes suggested	No	
Article 2 Members of the Council Page 35	Provides details of the composition of the Council, and the expected roles and duties of the Mayor and Councillors.	Add Group leader role	No	The Local Government Act 2000 Section 11 of the Act describes three forms of executive. The Local Government Act 2000 Sections 39 to 44 make provisions about elected mayors and elections for elected mayors
Article 3 Citizens and the Council	Sets out how Citizens of Middlesbrough can interact with the Council.	Wording changes	No	
Article 4 The Full Council	Defines the roles and decisions which are reserved to full Council, and the types of meetings Council can have.			policy framework -The Local Government Act 2000 Local Authorities (Functions and Responsibilities) (England) Regulations 2000 are made under section 13 of the Act. Schedule 13 to the Regulations identifies plans and strategies to be approved or adopted by the full council:
Article 5 Chairing the Council	Sets the parameters for the role of Chair of the Council.	part done	Yes	

Article 6 Overview and Scrutiny Committees	Defines the scope and work of OSB and Scrutiny Committees, and cross-references to Part 3 of the Constitution.		Yes	
Article 7 The Executive	Defines the role of the Executive, its decision-making powers, and deals with appointments to, and removal from, the Executive.	review may 2019		The Local Government Act 2000 Section 13 requires that all functions of a local authority should be the responsibility of the executive unless otherwise specified in regulations.
Article 8 Policy and Regulatory and other Committees	Allows the Council to establish other committees.			The Local Government Act 2000 Sections 14 to 20 provide for ways in which functions can be delegated both within and outside the executive and outside the local authority.
Article 9 The Standards Committee	Defines the scope of the Standards Committee, and sets its composition and terms of reference.	review to include copting independent people also need to invite parish cllrs to participate?		
Article 10 Joint Arrangements	Allows the Council to form joint arrangements with other local authorities or other bodies.			
Article 11 Officers	Establishes the primacy of the Head of Paid Service in relation to officers, and defines the roles and responsibilities of the Monitoring Officer and the Chief Finance Officer.			
Article 12 Decision Making	Sets the parameters for, and principles of, decision making in the Council, and provides guidance on types of decision to be recorded under Regulations.	possible update to level of key decision-ensure marries up with decision making classes	No	
Article 13 Finance, Contracts and Legal Matters	Establishes the basis for the Council's Standing Orders, and the execution of documents. <b>See also separate document: The Middlesbrough Borough Council Financial and Contract Procedure Rules (Standing Orders).</b>			

Article 14 Review and Revision of the Constitution	Establishes the requirement for the Constitution to be regularly reviewed and revised.	MO to be able to make minor amendments - update legislation areas of responsibility structure charts - also structure changes		
Article 15 Suspension, Interpretation and Publication of the Constitution	Sets the limits for how articles of the Constitution may be suspended by Full Council, and establishes the primacy of the Chair in interpreting the Constitution.			
Article 16 Other Committees of the Council	Provides details of the Corporate Affairs and Audit Committee. <b>Note: this may be extended to include details of other committees.</b>	add COAC independent panel for disciplinary matters for statutory officers		
Article 17 Financial Procedure Rules (Standing Orders)	Incorporates the <b>Middlesbrough Borough Council Financial and Contract Procedure Rules (Standing Orders)</b> as a part of the Constitution.			
Article 18 Scheme of Delegation	Incorporates the Middlesbrough Borough Council Scheme of Delegation as a part of the Constitution.	officers to provide list of delgations to DS scheme to include committee delegations to officers	Ongoing - being updated	
Schedule 1 Description of Executive	Details those parts of the Constitution which form the Council's Executive arrangements.	Mayor - involvement		
Schedule 2 Executive Portfolios	Provides details of the Executive Portfolios, and the Executive Members.	Annual renaewal or when portfolios change		
<b>Part 3 – Rules of Procedure</b>	The 'procedural' parts of the Constitution, summarised below.	add something on political balance not to change a caluclation due to aa vacancy that has not cannot be filled i.e due to a death or resignation part way through the year?		

<p>COUNCIL PROCEDURE RULES</p>	<p>Establishes the rules for how meetings of Council and its committees will be run.</p>	<p>possibly add planning - right to comparative times for objectors - <b>Legal to check is this a legal requirement</b>          areas to look at Motions rules of debate          Complete          Extra ordinary meetings          Petitions - Complete          Cllr calls for Action          MO to be able to change meeting date with agreement of chair as long as papers have not been sent out - add to scheme of delagation</p>	<p>No</p>	
<p>COUNCIL MEETINGS          Annual meeting timing and business ( P 60)          Ordinary meetings ( 61)          Extra ordinary meetings (p62)</p>		<p>Do we say that we can only have one extraordinary meeting following an ordinary meeting          Arrangement for meetings the MO in consultation with the Chair will have the power to change the venue, day time etc</p>		
<p>ARRANGEMENTS FOR MEETINGS          Cancellation          Notice of summons          Chair of meetings          Quorum of council          Duration of Meeting</p>		<p>electronic delivery</p>		
<p>COUNCIL QUESTIONS          Submitting Questions          Withdrawing Questions          Scope of Questions          Record of Questions          Questions/comments by members          Questions/comments with Notice          Reports          Questions or comments without notice          Responses  <b>Suplimentary Questions</b>          Loint Committees or outside bodies          Questions general          Questions by the public General</p>		<p>p43 change procedure rules - can only submit 5 questions in any one rolling 12 month period   <b>questions or comments - possible rewording to give distinction comment on the detail in the report / - if Mayor doesn't give a report can be asked questions on anything-</b></p>		
<p>Receipt of recommendations form the executive , committes and statutory Officers</p>				

<p>MOTIONS</p> <ul style="list-style-type: none"> <li>Notice of Motion</li> <li>Motion set out in agenda</li> <li>Scope of motions</li> <li>Eligibility of motions</li> <li>Motions without Notice</li> <li>Urgent Motions</li> <li>Rules of Debate</li> <li>When a member may speak again</li> <li>Amendments to motions</li> <li>Alteration of a motion</li> <li>Right of reply</li> <li>Motions which may be moved during a debate</li> <li>Closure motions</li> <li>Withdrawal of motions</li> </ul>		<p>tighten up on motions - who can speak and when</p>		<p>T</p>
<p>PETITIONS</p>		<p>see p 61 - 5 g timeliness- when it has to be submitted and what a petition must contain - report to C&amp;MD committee. 30/November 2018 agreed proposed new petitions scheme - needs to go to full council for approval?</p>	<p>Yes</p>	
<p>REPORTS</p> <ul style="list-style-type: none"> <li>of the elected mayor</li> <li>of overview and scrutiny</li> <li>Executive</li> </ul>				
<p>RULES OF DEBATE</p> <ul style="list-style-type: none"> <li>Point of order</li> <li>personal explanation</li> </ul>				
<p>VOTING</p> <ul style="list-style-type: none"> <li>Majority</li> <li>Chairs casting vote</li> <li>Show of hands</li> <li>Ballots</li> <li>Recorded votes</li> <li>Right to have individual vote recorded</li> <li>Voting on appointments</li> </ul>				
<p>ACCESS TO INFORMATION RULES</p>	<p>Establishes the rules for the publication or withholding of information.</p>	<p>exempt info needs updating</p>	<p>No</p>	

Budget and Policy Framework Procedure Rules	Establishes the rules for the annual budget-setting process, and for in-year changes to the budget.	is there a need to increase key thresholds to bring us in line with other authorities		
Executive Procedure Rules	Establishes the rules for how meetings of the Executive and its committees will be run	Need for an Exec / scrutiny protocol		
Overview and Scrutiny Procedure Rules	Establishes the rules for how meetings of OSB and its panels will be run			Local Government Act 2000 - Section 21 requires a local authority's executive arrangements to include arrangements for overview and scrutiny committees to review or scrutinise decisions of the executive and the local authority and to make reports and recommendations to the local authority or the executive. Council may also add to this list
Officer Employment Procedure Rules	Establishes the rules for the recruitment and dismissal of officers.	add statutory officer disciplinary procedure to consider adding attendance at shortlisting and interviewing clarity local agreement	Ongoing - being updated	
Page 40				
<b>Part 4 –MEMBERS ALLOWANCES SCHEME</b>	Provides details of the agreed basic and special responsibility allowances.		Yes - annual review	
<b>Part 5 – Management Structure</b>	Provides the current Senior Management Structure.			
<b>Part 6 – Codes and Protocols</b>	Provides details of how members and officers are expected to behave.			
Members' Code of Conduct	Sets the standards for member conduct towards Citizens, Officers and Members.	need to add retention period for complaints and what information will be kept in the log	YES	
Officers' Code of Conduct	Sets the standards for Officer conduct and neutrality, and limits on outside working.			



Protocol for Members and Officers on Gifts and Hospitality	Provides guidance on the declaration of gifts received by Members and Officers.	need to review form and also make sure matches HR codes of conduct	yes	
Protocol on Member/Officer Relations	Provides guidance on the interaction between Members and Officers, and their respective roles.			
Political Assistants Protocol		add this as new sections -	Yes	
Filming of Council Meetings	Provides guidance for those seeking to report on meetings.	amended for covid - revert back	Yes	
<b>Part 7 – APPENDICES</b>	Associated documents.			
Code of Corporate Governance	Determines the principles and procedures for appropriate corporate governance across Council actions and decision-making.		Yes	
Monitoring Officer Protocol	Provides guidance on the role and responsibilities of the Monitoring Officer.			
Statutory Officer Profiles	Provides further details on the role of various statutory officers, including the Head of Paid Service, the Monitoring Officer, the Chief Finance Officer, the Statutory Scrutiny Officer, and the Complaints Manager.			
Proper Officer Functions	Defines the Proper Officer for specified functions.			

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<b>Report of:</b>	Head of Democratic Services – Sylvia Reynolds
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<b>Submitted to:</b>	Constitution and Members Development Committee -
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<b>Subject:</b>	Elected Member Training Attendance
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**Summary**

<b>Proposed decision(s)</b>
To note Elected Member attendance at training sessions for the municipal year 2020-21.

<b>Report for:</b>	<b>Key decision:</b>	<b>Confidential:</b>	<b>Is the report urgent?</b>
Noting/Discussion	No	No	No

<b>Contribution to delivery of the 2021-24 Strategic Plan</b>		
<b>People</b>	<b>Place</b>	<b>Business</b>
Not applicable	Not applicable	Not applicable

<b>Ward(s) affected</b>
Not applicable

**What is the purpose of this report?**

1. The purpose of this report is to provide Members of the Constitution and Members Development Committee with a summary of Elected Members attendance at training sessions for the municipal year 2020-21.
2. This report provides information about the member learning and development sessions delivered since April 2020, and provides, for information, an overview of upcoming member learning and development sessions.

**Why does this report require a Member decision?**

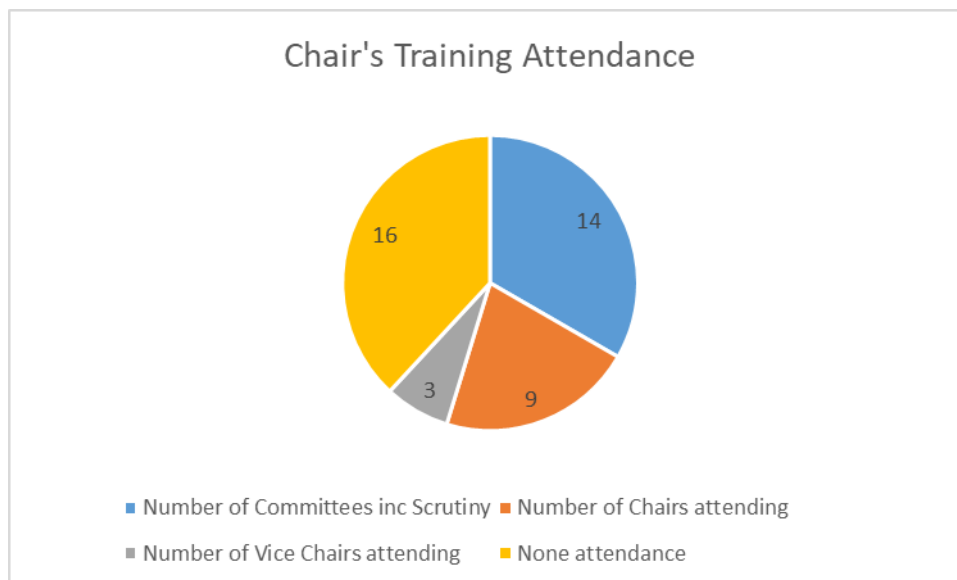
3. This report is for information and discussion by Members of the Constitution and Members Development Committee only.

## Report Background

4. At the Constitution and Members Development Committee held on 11 November 2016, it was agreed that a Skills Framework for Members be introduced which would help identify individual development needs around the following competencies:
  - Local leadership;
  - Partnership working
  - Communication skills
  - Political understanding
  - Scrutiny challenge; and
  - Regulatory and monitoring
5. An annual Member Development Programme is produced to meet member development needs and shows how the events/briefings/seminars are aligned with this skills framework.
6. The Council protocol is that Members will be required to undertake training or attend briefings in respect of certain roles and in order to serve on certain Committees. This is aimed at protecting members and the Council from prospective challenge to legislative decision making. This training programme is organised on an annual basis, following the AGM, when committee membership is confirmed. Ad hoc one-to-one training will be provided for any subsequent changes to committees.
7. Committees where training is required before being allowed to take part in the decision making, include Planning & Development Committee, Licensing Committee and Sub-Committees, Standards Committee, Staff Appeals Committee, Corporate Affairs and Audit Committee, Teesside Pension Fund Committee, Teesside Pension Board. This training should be undertaken on an annual basis.
8. Attendance at the required training is consistently high with all members of the specific committees attending the required training. This could be due to members having to attend this training before being able to take part in the decision making in respect of those committees. Whilst training may be devised specifically for committee Members, these events are open to all members to attend, which will also aid groups should they wish to appoint a substitute to attend a committee in the case of the absence of one of their Members. The table below details the number of members who are not committee members who have completed the required training courses.

Staff Appeals Committee	Teesside Pension Fund	Planning & Development Committee	Corporate Affairs & Audit Committee	Licensing (Taxi) Committee	Standards Committee
0	7	13	5	7	23

9. Newly elected Chairs and Vice-Chairs are also required to attend Chairs' training sessions following the Council AGM. The pie chart below shows the number of Chairs and Vice Chairs and the number who attended Chairs Training.



10. Based on the figures above 42.86% of Chairs and Vice Chairs attended the Chair's training. This equates to 32.14% of Chairs attending and 10.71% of Vice Chair's attending.

11. Given the proportion of members with limited local authority experience following the most recent elections, it is disappointing that the take up for this training is low as the training provides key skills to be able to chair a Committee effectively.

12. At the Corporate Affairs and Audit Committee held on 5 August 2021, a joint report of the Director of Legal and Governance Services and Director of Finance (Section 151 Officer) was presented, setting out the governance issues identified in the Best Value Inspection of Liverpool City Council (LCC) report and assessed whether there were any lessons to be learnt for corporate governance within Middlesbrough Council. The report also provided an update on actions previously agreed for Middlesbrough Council following consideration of the Best Value inspection of Northamptonshire County Council and the public interest report issued by the external auditor of London Borough of Croydon Council.

13. The following areas which could be related to member training were highlighted in the report:

- Regeneration and planning.
- Elected members – roles and responsibilities understanding.
- Corporate governance compliance.
- Legal corporate governance.

The report highlighted that, LCC had the same democratic governance model as Middlesbrough Council. It was therefore not surprising that the inspector's recommendations relating to governance and structure were relevant to Middlesbrough Council. The self-assessment identified a range of planned actions that focussed on member and officer relationships and awareness and understanding of roles and responsibilities. Those recommendations aligned with a recent internal audit report on Member decision-making, which was currently at the draft report stage. There was a risk that if roles and responsibilities were not fully understood and adhered to by both Members and officers, Middlesbrough Council could experience the same issues as LCC.

14. The Member Development Programme provides a range of different opportunities for attendance at a variety of learning events which has included scrutiny training, effective questioning skills and work programme planning. A range of briefing sessions have also been held for Members to keep them informed of key issues. The table below details the

training/briefing sessions taken place during 2019/20 and the number of Members who attended each session.

Training/Briefing Session	Number of Members in Attendance
Local Area Outbreak Planning Briefing	18
Recovery Briefing	18
Covid 19 & the Impact on the Financial Position Briefing	21
The Role of the Corporate Parent	19
SEND Reforms Training	12
Pay & Remuneration Briefing	34
Border to Coast Virtual Conference	2
Members Roles in Scrutiny & Corporate Parenting	16
Chairing & Leading Scrutiny	8
Culture & Diversity Workshop	11
Effective Questioning Skills	14
How Modern Gov will make your life easier	17
Work Programme Planning	11
National Census 2021 Member Briefing	9
Chief Constable Briefing	29
Raising Awareness of Foodbanks Member Briefing	19
Implementing Strategies to Tackle Homelessness Member Conference	2
PREVENT Awareness Session Member Briefing	16
Strategic Plan Member Briefing	24
Pay Policy Statement Member Briefing	24
Dementia Awareness Member Briefing	23
Office for the Police & Crime Commissioner Member Briefing	18
Stanhope Castle Briefing	22

15. The Member Development Framework also provides opportunities for Executive Members to attend role specific training with the Local Government Association (LGA) Leadership Academy. The table below details Executive Member attendance at the LGA Leadership Training and also details Members who took part in the LGA One to One Coaching opportunity.

Training Event	Elected Member
LGA - Difference and Inclusion: Building a 'how to toolkit'.	Councillor Mieka Smiles
LGA- Being an Effective Cabinet Member	Councillor Mieka Smiles
LGA One to One Coaching	Councillor Carolyn Dodds Councillor Mieka Smiles Councillor Ashley Waters Councillor Alma Hellaoui

**What decision(s) are being asked for?**

That Members note the attendance of Elected Members at training courses.

### **Why is this being recommended?**

To make Members aware of the requirement to attend training in order to provide them with the appropriate skills and knowledge to fulfil their role as an elected member.

### **Other potential decisions and why these have not been recommended**

Not applicable

### **Impact(s) of recommended decision(s)**

#### ***Legal***

No impact

#### ***Financial***

As this report is for members to note, there is no financial impact. There is a small budget allocated within the overall Members budget for training and development to cover the costs of additional training that will need to be provided through the Member Development Framework.

#### ***Policy Framework***

Not applicable. The report does not propose an amendment to the policy.

#### ***Equality and Diversity***

Not applicable

#### ***Risk***

Not applicable

### **Actions to be taken to implement the decision(s)**

### **Appendices**

### **Background papers**

No background papers were used in the preparation of this report.

**Contact:** Sylvia Reynolds  
**Email:** Sylvia\_reynolds@middlesbrough.gov.uk

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