

CONSTITUTION AND MEMBERS' DEVELOPMENT COMMITTEE

Date: Wednesday 15th June, 2022
Time: 2.30 pm
Venue: Mandela Room

AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. Minutes Constitution and Members' Development Committee - 13 May 2022 3 - 6
4. Update on Constitution Report to Council
Item for discussion
5. Meeting format - virtual/face to face meetings
Item for discussion
6. Paper-lite meetings 7 - 48
Item for discussion
7. Update to Officer Employment Procedure Rules
Item for discussion

Charlotte Benjamin
Director of Legal and Governance Services

Town Hall
Middlesbrough
Date Not Specified

MEMBERSHIP

Councillors J Hobson (Chair), A Bell (Vice-Chair), A Hellaoui, D Rooney, M Saunders, M Storey, T Higgins, C Hobson, L Mason, M Smiles and Z Uddin

Assistance in accessing information

Should you have any queries on accessing the Agenda and associated information please contact Joanne McNally, (01642) 728329, joanne_mcnally@middlesbrough.gov.uk

CONSTITUTION AND MEMBERS' DEVELOPMENT COMMITTEE

A meeting of the Constitution and Members' Development Committee was held on Friday 13 May 2022.

PRESENT: Councillors J Hobson (Chair), A Bell (Vice-Chair), A Hellaoui, B Hubbard, D Rooney, M Saunders, M Storey and J Thompson

OFFICERS: S Reynolds and J McNally, A M Wilson

APOLOGIES FOR ABSENCE: Councillors C Wright and C Benjamin

21 DECLARATIONS OF INTEREST

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

22 MINUTES CONSTITUTION AND MEMBERS' DEVELOPMENT COMMITTEE - 4 MARCH 2022

The minutes of the Constitution and Members' Development Committee held on 4 March 2022 were approved as an accurate record.

23 MEMBER DEVELOPMENT

The Head of Democratic Services presented a report on Member Development. The purpose of the report was to provide the committee with an outline of the 2021/22 Member Development Programme and to seek feedback and recommendations on the 2022/23 Member Development Programme and consider the content of the Member Induction Programme that would be delivered following the all-out local elections in May 2023.

Following a discussion Committee Members agreed that the importance of attending training courses and a session on Member/Officer Protocol should be included in the Member Induction Programme.

Agreed as follows:-

1. Members noted the training sessions held as part of the Member Development Programme for 2021/22.
2. Members noted the proposed Member Development Programme for 2022/23
3. That the importance of attending training courses and sessions on Member/Officer Protocol be included in the Member Induction Programme

24 REVIEW OF THE FORMAT OF THE CONSTITUTION

The Head of Marketing and Communication presented a first draft of the review of the format of the Constitution to the Committee. The Committee were advised that the document was intended to provide an overview and introduction to the Constitution and therefore changes to legislative protocols and instructions would not be changed. Members heard that hyperlinks to sections and procedure rules would be included to make it more user friendly to navigate.

Following discussions Members felt that a section on petitions and a link or sentence on how to vote should be included. Members agreed that the title should include "your council" to make it more personal to the reader.

A Member queried if the work that was being undertaken by Councillor Luke Mason to introduce young people to government overlapped, the Head of Marketing agreed to contact Councillor Mason to discuss the work he is undertaking. Overall Members were happy with the first draft and felt that it would be beneficial to be included in an edition of Middlesbrough News in the run up to the election alongside information on what services the council provide.

CONSTITUTION UPDATE REPORT

The Deputy Monitoring Officer presented the report and advised the Committee that the Constitution was a live document that was continually updated.

The Committee were advised that occasionally amendments were needed to reflect changes in policy and legislation whilst others dealt with inconsistencies and presentational issues that had no effect on the agreed procedural rules. Other minor amendments were required to deal with the results of new legislation and did not require a change in Council processes.

Members heard that the changes to the Constitution fell within three broad areas, which were 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.

The following amendments were proposed under paragraph (c)

a) Standards Committee – Changes to the Terms of Reference

Terms of Reference - Standards Committee

Restrictions: Cannot include the Elected Mayor or Executive Leader and may not be chaired by an Executive Member

To make reports or recommendations to the Council in relation to:-

- the approval by the Council of local codes of conduct for Members and officers, codes of practice, standing orders and protocols, taking account of national models and guidance or case tribunals.
- the implementation of local codes of conduct etc, and the dissemination throughout the Authority of information and guidance on their operation.
- consideration of any reports relating to the conduct of Members or officers which may be referred to it by the Council's Chair, Monitoring Officer or by the Chief Finance Officer under section 114 of the Local Government Finance Act 1988 in consultation with the Monitoring Officer, including issues relating to Members' and officers' interests and the maintenance and management of any relevant registers of interests.
- consideration of relevant reports referred by the Monitoring Officer and Chief Finance Officer and make recommendations thereon to the Council as necessary.

Grant dispensations to Councillors, Co-opted Members and Parish Council Members from the requirements relating to declarations of interest as set out in Section 32 of the Localism Act 2011. **The Monitoring Officer may grant a dispensation where the matter is urgent and report it to the next available Standards Committee.**

The determination, following an investigation, of allegations of breaches of Members' Codes of Conduct within such statutory provisions or guidance as

may exist **and the imposing of any relevant sanctions.**

Discharge of all of the above functions required by the Localism Act 2011 in relation to Parish Councils.

b) Revision of the Access to Information Procedure Rules

It is some years since the Access to Information Procedure Rules have been revised. A copy of the suggested revised version of the Access to Information Procedure Rules is attached at Appendix 1.

c) Substitutions

Following a request from the Chair of the Corporate Affairs and Audit Committee the committee are asked to consider a proposed amendment to the required notification period from 24 hours before the meeting as it currently appears in the Constitution to 3 hours before the meeting. This is a locally determined matter and therefore within the purview of the Council to amend.

AGREED as follows:-

- a) That the amendment to the Terms of Reference of the Standards Committee be approved and referred to full Council
- b) That the revised Access to Information Procedure Rules be approved and referred to full Council
- c) That more evidence be presented to the Constitution and Members' Development Committee regarding how many meetings have been inquorate over the previous 2 years. The committee will then determine if the amendment to the required notice period from 24 hours to 3 hours should be approved.

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EXECUTIVE MEMBER REPORTS

A discussion took place on Executive Member reports and how they are reported to full Council. Members felt that reports should be in a written format so that they could be scrutinised and considered before a meeting to allow for questions to be prepared in advance.

The Head of Democratic Services informed the Committee that a report on the Mayors Executive Scheme of Delegation would be presented at the Council AGM meeting on 25 May 2022 which would detail the new Executive portfolios and suggested reporting format.

The committee considered the following paragraph from the Council Procedure Rules in particular:

5. (j) to consider Executive matters including reports of Executive members;

The committee proposed a change to the constitution to add the word **written** into the above paragraph to read- to consider Executive matters including written reports of Executive members.

There was a discussion as to how this would interact with the Executive Scheme of Delegation, and whether the Executive could choose which format they wished to submit Executive reports to Council or whether they could be compelled to present written reports, as proposed by the committee.

The Deputy Monitoring Officer agreed to seek advice from the Monitoring Officer on - **Would adding the word 'written' into Council Procedure Rule 5(j) in the constitution mean that regardless of what is in the Executive Scheme of Delegation, the reports of the Executive for full Council would need to be written?**

HOLDING OF MULTIPLE CHAIRS POSITIONS

A Committee member requested a discussion on introducing into the Constitution that only one Chairs position could be held by a member. The member stated that to hold the position of Chair carried great responsibility and required time and input to carry-out the role effectively.

Following a debate it was agreed to take a vote on members being restricted to hold one chairmanship. The outcome of the vote was 3 votes for and 4 against and therefore the proposal was rejected.

Agenda Item 6

Please find attached the outcome of the survey carried out in April 2021 for discussion regarding remote and hybrid meetings.

Paper-Lite and Remote Meeting Survey 2022

12 - 25 Apr 2022

Poll results

Table of contents

- Paper-Lite and Remote Meeting Survey 2022

Paper-Lite and Remote Meeting Survey 2022 (1/27)

0 2 1

Q1. The Council provides IT equipment to help Members manage their workload and access Council Information. How satisfied or dissatisfied are you with the devices available to assist you with your workload e.g. tablet/screen/printer?

(1/2)

Page 10

Very satisfied



Fairly satisfied



Neither satisfied or dissatisfied



Fairly dissatisfied



Paper-Lite and Remote Meeting Survey 2022 (1/27)

0 2 1

Q1. The Council provides IT equipment to help Members manage their workload and access Council Information. How satisfied or dissatisfied are you with the devices available to assist you with your workload e.g. tablet/screen/printer?

(2/2)

Very dissatisfied

0 %

Don't know/No opinion

0 %

Q2a. Do you have any problems connecting to the Council IT systems in the Town Hall?

Yes



No



Paper-Lite and Remote Meeting Survey 2022 (3/27)

0 2 1

Q2b. Do you have any problems connecting to the Council IT systems at Home?

Yes



No



Q2c. Please provide any comments or details of any issues.

(1/2)

- Sometimes the laptop stops connecting to my home network either resetting the router or restarting the laptop fix it but if that happens during a virtual meeting its a pain. In the Civic Centre when I need to print anything there are so many Printer scanner copiers spread around the building I don't know which to select, the one I was using has been taken away. Some e mail attachments sent to me wont open either on the laptop or the mobile phone?
- Tried machine in council chamber could not get to work. Home connection not constant comes and goes
- Sometimes when using Teams I am cut off and have to reconnect

Q2c. Please provide any comments or details of any issues.

(2/2)

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- I have not used my laptop at a meeting in the Town Hall so I am unable to answer Q2a
- i have never connected to the council it systems in the the town hall
- the server sometimes won't connect and at times I have to restart my computer. however once this is done there are no further problems. this is not a fault of my broadband
- I don't usually use IT systems in the Town Hall
- Recently, could not connect to training sessions, and had to leave and rejoin to get into a virtual meeting.
- New system very poor
- Computer in the labour group room has not worked for around 2 years
- N/A
- Wifi can sometimes be intermittent in the Town Hall.

Q3. Do you use any personal devices to access committee meeting information?

Yes



No



Q4. Do you require any additional training or help using your laptop or other devices?

Yes



No



Paper-Lite and Remote Meeting Survey 2022 (7/27)

0 2 1

Q5a. Do you agree that the Council should strive for a paper-lite approach in all committee meetings?

Yes



No



Paper-Lite and Remote Meeting Survey 2022 (8/27)

0 2 1

Q5b. Do you think some committees should be exempt from a paper-lite approach?

Yes



No



Paper-Lite and Remote Meeting Survey 2022 (9/27)

0 2 1

Q5c. If the Council was to facilitate paper-lite meetings, would you be willing to provide the Council with your consent to receive papers electronically (your consent can be withdrawn at any time)?

Yes



No



Q6a. If you answered "no" to Q5c please tell us why, e.g. are there any barriers / concerns that we should be aware of / consider?

(1/3)

- Planning Committee Licensing Staff appeals to name but a few cannot be paperless
- I am not IT savvy enough to go paperless
- Some of the papers for a few meeting are very big sometimes over 100 pages
- council should be aware of members with dyslexia and other eye sight issues and those less computer minded (age related)
- i personally am not confident using a laptop to view meetings .The meetings i chair i feel the need for a paper copy .I have heard people say that they had issues at the start of their paperless journey but with time it became a lot easier but the same people were doing it everyday .In my full

Q6a. If you answered "no" to Q5c please tell us why, e.g. are there any barriers / concerns that we should be aware of / consider?

(2/3)

Page 22

- time job i do things with a computer and to me it it has become simple but to people who learn from scratch it is complex but after a while it becomes 2nd nature .With the work i do as a councillor i am not doing things everyday so i forget things that i have learnt
- Unfortunately I feel unable to collate material which is all onscreen
 - I have difficulty reading papers on screen
 - Unable to make notes and keep up with meetings if no papers.
 - There are times when you need a printed copy I am sure you can print cheaper than me. I would also like a copy of paper lite meetings sent out with the email invite. We should not have to go looking for information it should be sent

Paper-Lite and Remote Meeting Survey 2022 (10/27)

0 1 0

Q6a. If you answered "no" to Q5c please tell us why, e.g. are there any barriers / concerns that we should be aware of / consider?

(3/3)

- I would, other than for Full Council.

Paper-Lite and Remote Meeting Survey 2022 (11/27)

0 1 9

Q6b. If any barriers could be overcome would you then reconsider moving to paperless meetings?

Yes



No



Q6c. Please add any further comments you might have.

(1/2)

- I wanted to go paperless but I found that hard so paper light is a good starting point, I don't ask or expect anyone do do something I wont do or cant do myself.
- In my opinion we are a million miles away from having a paper less council. As usual we are trying to run before we can walk. I think that with us not getting papers we are getting less questions as members are not reading them until last minute.
- If papers were sent to me electronically then I would print them myself
- I would not use paperless systems in the case of Planning Committee or Main Council. Other committees are OK
- i would still ask for certain papers
When we talk about paperless its not all paperless has members have the

Q6c. Please add any further comments you might have.
(2/2)

option of printing at home on a printer that is not such a good thing for the green agenda

- I am elderly. I come from an Old School of paper education. I don't find it useful to migrate to paperless.i agree "less paper used " is good. However total removal is not the answer
- I don't want to have to carry a lap top with me
- Not all

Q7. Executive committees already operate paper-lite meetings. If this were to be piloted to all other committees, how long should the pilot last?

6 Months



12 Months



18 Months



Should not be piloted.



Paper-Lite and Remote Meeting Survey 2022 (14/27)

0 2 1

Q8. Do you think members wishing to retain hard copy papers should be expected to make their own copies e.g. print / photocopy themselves?

Yes



No



Q9. Training and support for Members is a vital component of the transition to paper-lite meetings. What support would be required to facilitate the adoption of paperless meetings?

(1/3)

Page 29

- I said No to Q8 as some members are not good with tech so would find it hard to produce their own papers however I think all members should be encouraged and supported to give it a go. MBC have declared a Climate Emergency so we all need to do whatever we can to reduce our Carbon Footprint.
- Don't want paperless meetings
- i would require additional training
- I thought that this would be already available as a training package
- How to access Teams meeting and saved documents.at the same time
- How to work with a split screen if meetings are held virtual. How to highlight information
- I doubt support

Q9. Training and support for Members is a vital component of the transition to paper-lite meetings. What support would be required to facilitate the adoption of paperless meetings?

(2/3)

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with training would be sufficient for some members

- A lot
- Not sure, it will be down to the individual to state his/her needs
- More time at the keyboard. Unfortunately resulting in less time with our residents
- I have been through the training sessions, but still cannot keep up to speed. By

choosing this route, the council are keeping some members out of decision making. As for point Q8, I'm happy to print my own copies, but since the council have said it is cheaper for them to provide, I cannot see the point of the question.

- Sometimes you need hard copies, home is not the problem you need extra screens in offices

Paper-Lite and Remote Meeting Survey 2022 (15/27)

0 1 5

Q9. Training and support for Members is a vital component of the transition to paper-lite meetings. What support would be required to facilitate the adoption of paperless meetings?
(3/3)

- Lot of support
- None for myself
- Extensive IT training would be needed for certain Members (we all know how hard some found online meetings, let alone accessing and printing the papers).

Q10. If the Council was to transition to paper-lite meetings would you require any additional IT equipment to help access / read the papers at home, i.e. an additional screen or home printer?
(1/2)

Page 32

- If I had a home printer I would be tempted to print so no thank you. However a bigger 2nd monitor 24" - 26" in the office and All Members with bigger monitors in the Chamber or large display screens with officers sharing documents instead of paper might work.
- We would need every member to be able to access a computer in the Council Chamber with the addition of a big screen and a printer
- additional screen
- no
- Not at present
- Allow access to print from home to personal printer if needed.
- yes
- I already have a home printer provided by the council

Q10. If the Council was to transition to paper-lite meetings would you require any additional IT equipment to help access / read the papers at home, i.e. an additional screen or home printer?
(2/2)

- a printer and maybe a additional screen preferable, but not essential.
- Not for me, but people with dyslexia however mild should be considered
- No thanks
- a printer
- N/A
- Have a printer so could copy
- No
- an additional screen would be

Q11a. How confident are you in accessing Modern.Gov (for reading papers)?

Very Confident



Fairly Confident



Would like a refresher session



Would like more in depth support



Q11b. How confident are you in moving through electronic papers during meetings?

Very Confident



Fairly Confident



Would like a refresher session



Would like more in depth support



Q11c. How confident are you in making notes electronically, i.e. on reports?

Very Confident



Fairly Confident



Would like a refresher session



Would like more in depth support



Q11d. How confident are you in splitting your screen?

Very Confident



Fairly Confident



Would like a refresher session



Would like more in depth support



Paper-Lite and Remote Meeting Survey 2022 (21/27)

0 2 1

Q12a.Virtual meetings have provided several important benefits for all attendees including increased attendance; reduced travelling time and greater transparency. If given the opportunity, do you think the Council should undertake all meetings remotely?

Yes



No



Paper-Lite and Remote Meeting Survey 2022 (22/27)

0 2 1

Q12b. If given the opportunity, do you think the Council should undertake all committee meetings in person?

Yes



No



Paper-Lite and Remote Meeting Survey 2022 (23/27)

0 2 0

Q12c. If given the opportunity, do you think the Council should be able to choose its meeting format, i.e. hybrid or physical, depending on the nature of the meeting?

Yes



No



Paper-Lite and Remote Meeting Survey 2022 (24/27)

0 2 1

Q12d. If given the opportunity, do you think the Council should be able to choose its meeting format, i.e. hybrid or physical, depending on the preference of the Chair?

Yes



No



Paper-Lite and Remote Meeting Survey 2022 (25/27)

0 2 1

Q12e. If given the opportunity, do you think the Council should be able to react to local circumstances / events for its meeting formats, e.g. an increased prevalence of Covid-19 infections?

Yes



No



Q13. Legislation regarding attendance at decision making committee meetings only applies to Elected Members. Do you think other attendees should be able to continue to attend the same meetings remotely, if the appropriate technology was available?

Yes



No



Don't know



Q14. Do you have any additional comments you would like to make?

(1/4)

- Q13. Open honest member / officer / public interaction is needed but hybrid meetings should not be held up if people joining online have internet problems. Serious decisions which involve lots of public money should where possible always be conducted in person. Ward Cllr's should also be prepared to tell the Council what they have been working on for their residents.
- As has been discussed with other elected members the 'older' members prefer to read paper copies.
- I think there are great advantages in virtual meetings, especially as I have to travel a long way into Middlesbrough . However, it is essential that some key meetings remain in person where possible as noted above.
- Use my personal device to access my emails but there is still many issues

Q14. Do you have any additional comments you would like to make?

(2/4)

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with boxer app. Emails stop, cant send email and app freezes. Could a separate mobile device be provided to access emails. I have a personal laptop and council laptop The council laptop is not portable. Is there an option to provide a better device, with a touchscreen option. Currently in my other work role we are using Lenova thinkpad X13 yoga which would be ideal device for this purpose.

If not do we have an option to use our personal device to log into a Citrix portal to access our council systems.

- question 11, A B & C do not apply to me as I have Dyslexia and sight problems. When reading page after page on a shiny screen, I can develop Migraine. I don't mind printing a couple of pages via the printer but when its a full report, I then prefer it sent out to me.
- i believe members of a certain

Q14. Do you have any additional comments you would like to make?

(3/4)

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age will never get to grips with Tech thats a fact and until the next generation come into politics who have been brought up with Tech i think we should stay with paper to members who want .This i think can be achieved by saying to members if you want a paper copy come to the town hall and ask for a copy to be printed

if members are happy to read things online then the council can save the cost of printers and associated paper and inks

- I am not in favour of totally paperless system. Computer systems do frequently crash!! Best Regards Eric
- I prefer remote meetings so much easier
- The check names function needs to be returned into the boxer

Q14. Do you have any additional comments you would like to make?

(4/4)

app. Not having it makes it fairly impossible to do an email to more than one recipient without the risk of an accidental data breach.

Otherwise pretty chuffed with everything

- Leaving preference of meeting format to the chair will result in an automatic refusal, the majority don't like change but if the option to choose is removed, then they will have to make the leap.

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