

## Agenda item 9

# Council Issues

### 1. Constitutional Changes: attendance book

#### Purpose of the item

- 1.1 To update the constitution to reflect modern practice regarding attendance at meetings.

#### Summary of issue

- 1.2 Prior to the pandemic members were asked to sign a book when attending meetings of Council, this was a hangover from when members were required to sign in to receive their attendance allowance payment.

- 1.3 The Constitution currently says:

*'16.13 Record of attendances*

*Every Member of the Council attending a meeting of the Council is requested to sign his name in the attendance book or on the sheet provided for that purpose. The attendance book shall be used to monitor Members' attendance and ensure compliance with Article 3.8(xvi).'*

- 1.4 At full council meetings the book was set out prior to the meeting of Council in the Chamber Foyer for members to sign on arrival. At other meetings it was circulated in the meeting room.
- 1.5 The books were seldom signed by all members attending and it was frequently not possible to read all of the names.
- 1.6 The officer from the democracy team present at each meeting always records each member's attendance and cross checks with the recording. As a result, the attendance book now serves no operational purpose for the administration of the Council.
- 1.7 It was obviously impossible to comply with the requirement of paragraph 16.13 during covid and it has not been reinstated following the ending of restrictions.
- 1.8 Rather than reinstating the practice it is recommended that the Council agrees to remove the requirement from the constitution.

#### Recommendation:

That Council agree to remove paragraph 16.13 of the Constitution as above and update the numbering of the Constitution accordingly.

## **2. Constitutional Changes: Chief Officers**

### **Purpose of the item**

- 2.1 To update article 4 of the constitution to reflect the current Chief Officers.

### **Summary of the item**

- 2.2 Following a number of staffing changes within the senior management structure, the list of designated Chief Officers at Article 4, 4.3 needs updating.

### **Recommendation:**

That Council agree to update the list of chief officers in paragraph 4.3 of the Constitution to read as below :

4.3.1 Chief Executive

4.3.2 Executive Director, Children and Families

4.3.3 Executive Director, Corporate and Customer Services

4.3.4 Executive Director, Place and Public Health

4.3.5 Executive Director, Corporate Services

4.3.6 Executive Director, Adult Social Care

4.3.7 Executive Director, People and Transformation

## **3. Amendment to the Member Allowance Scheme for Co-opted members of the Pensions Strategy Board**

- 3.1 The new scheme of members allowances included terms put forward by the Essex Pension Fund to introduce an allowance for any member of the fund's Board who is not a councillor or an employee and who therefore did not receive any allowance or payment for their time. This change allowed such persons to claim an allowance of £16.08 per hour.
- 3.2 This change did not clearly permit time to be claimed for other than attending formal meetings with some preparation time. Those administering the Fund consider that it would be beneficial to allow the allowance to be claimed for some other duties, for example some training duties. It is proposed that the strategy board should determine what can be claimed for.
- 3.3 A further change is recommended in order to clarify that the allowance can be paid for training time in certain circumstances and to allow the Pension Strategy Board to approve duties for which the allowance is payable.

### **Recommendation:**

That the final paragraph in 26.8 of the constitution be replaced with the following:

‘Any Co-Optee to the Pension Strategy Board who is not an employee, officer or member of their appointing organisation and who is not otherwise entitled to payment for time spent on the role is entitled to claim an allowance in accordance with appendix 2 with respect to time spent attending meetings of the board and for such other duties as may from time to time be formally approved by the Pension Strategy Board.’

## **4. Review of ‘written questions’ pilot**

### **Introduction**

- 4.1 In December 2021 Council agreed to trial the replacement of the process for dealing with written questions at council meetings with a rolling ability for members to ask written questions.
- 4.2 The trial was to start in early 2022 and be reviewed before the annual meeting of the Council. The process was launched to members in January 2022.

### **Summary of issue**

- 4.3 In May 2022 Council agreed to extend the trial until the December meeting and bring a further report to this meeting.
- 4.4 If no action is taken, the temporary changes to the constitution will expire meaning that written questions at council will resume at the December 2022 meeting.
- 4.5 Answered questions are published here [EssexCmis5 > Written Questions to Cabinet Members](#). Members are notified when a batch of questions and answers are published.
- 4.6 This was due to be discussed at a meeting of the Constitution Working Group which had to be cancelled. After consulting group leaders it is proposed to continue the trial for a further period until there is time to discuss.
- 4.7 It is proposed to bring a final report to the December meeting.

### **Recommendation:**

- 1. That the trial is extended until the February 2023 meeting, bringing back a further report to the December meeting.

2. That paragraph 16.12 of the Constitution is amended by replacing the words 'until after the meeting of the Council on 11 October 2022' with 'until after the meeting of the Council on 13 December 2022'

**5. Dates of forthcoming Council meetings**

- 5.1 The dates of the future meetings of Council were agreed at the meeting held in May 2022, to be on Tuesday 13 December 2022 and Thursday 9 February 2023.
- 5.2 The meetings of the Council are normally held at County Hall in the Council Chamber and commence at 10:00am.
- 5.3 It is necessary to schedule further forthcoming Council meetings. The proposed dates are Tuesdays, 16 May 2023, 11 July 2023, 10 October 2023, 12 December 2023 and 13 February 2024.

**Recommendation:**

1. That the dates of Council meetings scheduled for Tuesday 13 December 2022 and Thursday 9 February 2023 remain unchanged.
2. That future Council meetings be scheduled on Tuesdays, 16 May 2023, 11 July 2023, 10 October 2023, 12 December 2023 and 13 February 2024.