



## OFFICER REPORT TO COUNCIL

### AMENDMENTS TO THE CONSTITUTION

#### **KEY ISSUE/DECISION:**

It is the Council's responsibility to approve changes to the Council's Constitution.

This report sets out proposed changes to Part 4 of the Constitution – Standing Orders, and the Officer Code of Conduct, one of the Codes and Protocols included in Part 6 of the Constitution and these are brought to Council for formal approval in accordance with Articles 4.09, 5.02 and 11.02 of the Council's Constitution.

#### **BACKGROUND:**

1. At its meeting on 26 October 2022, the Planning & Regulatory Committee received a report setting out proposed changes to the Standing Orders in relation to public speaking at the committee in order to allow for different arrangements to be made when the committee considers applications made to the Council in its role as Commons Registration Authority (CRA) (common land or town and village greens applications).
2. At its meeting on 14 November 2022, the People, Performance & Development Committee (PPDC) received a report setting out a number of proposed changes to the Council's Officer Code of Conduct, which was last updated in September 2017.

#### **FUNCTIONS FOR APPROVAL BY COUNCIL**

##### **Changes to Standing Orders in relation to public speaking at Planning & Regulatory Committee**

3. The Planning & Regulatory Committee agreed to support the proposed changes to Standing Orders as set out in **Annex 1** to this report for Council's approval.
4. The current Standing Orders do not make specific reference to applications made to the Council in its function as CRA. Standing Order 86.7 currently only allows an applicant to speak if a member of the

public or their representative speaks objecting to the application; in order to meet the requirements of the Commons Act 2006 and the Commons Registration (England) Regulations 2014/3038 (“the 2014 Regulations”), it is necessary to offer the applicant or other party an opportunity to speak prior to the determination of certain CRA applications.

5. Standing Orders form part of the Council’s Constitution, and therefore Council is asked to agree the revisions.

### **Revised Officer Code of Conduct**

6. The Code of Conduct is published on SCC Info and also available on the [Surrey County Council website](#) as part of the constitution of the Council. The current published Code of Conduct is dated September 2017.
7. The Officer Code of Conduct is part of the Constitution of the Council. The Code forms part of the Codes and Protocols (Part 6) and includes links to the following related information:
  - Equalities information
  - Drug & Alcohol policy
  - Smokefree policy
  - Conflict of interest guidance
  - Gifts and hospitality policy and guidance
  - Information governance including Data Protection
  - Health & Safety
  - IMT policies
  - Whistle blowing
  - Financial governance
  - Procurement guidelines
  - Disciplinary Policy
  - Personal use of social media guidelines
8. The custodian of the policy is the Strategic Director of People and Change. All policies and inter-relationships are centrally reviewed by the HR Policy and Reward Board and Surrey County Council Trade Unions Group (SCCTU), whose role it is to act as one body and represent the interests of its constituent bodies and their members in response to SCC proposals.
9. An internal audit (report published in February 2022) into key governance processes (Whistleblowing & Conflicts of Interest) highlighted the requirement to update the Code of Conduct for Officers to align with policy amendments and reflect current working practices.
10. The Code of Conduct has been amended in consultation with Internal Audit, Health & Safety, IT& D and Legal Services.

11. The Officer Code of Conduct was approved by People, Performance and Development Committee on 23 November 2022. The agreement comes following the request made during the 14 November 2022 meeting to quantify the wording in section 7.7, Equality, Diversity and Inclusion.
12. The specific amendments to the document are set out in Annex 2 below.
13. The Officer Code of Conduct forms part of the Constitution and therefore Council is asked to agree the revised document (Annex 3)

<b>RECOMMENDATIONS:</b>
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- A. That the amendments to Standing Orders set out in Annex 1 be approved.
- B. That the revised Officer Code of Conduct set out in Annex 3 be approved.

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**Lead/Contact Officers:**

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**Annexes:**

Annex 1 – Proposed Amendments to Standing Orders  
Annex 2 – Officer Code of Conduct – Detailed Document Amendments  
Annex 3 – Revised Officer Code of Conduct

**Sources/background papers:**

Constitution of the Council  
Report to Planning & Regulatory Committee, 26 October 2022  
Report to PPDC, 14 November 2022

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