

MEETING: **North Wales Corporate Joint Committee**
DATE: **25 May 2023**
SUBJECT: **Constitution of the North Wales Corporate Joint Committee**
AUTHOR : **Iwan G D Evans – Monitoring Officer Cyngor Gwynedd**

DECISION SOUGHT:

1. To adopt the following to be included in the Constitution:

- **Members and Co-Opted Members Code of Conduct**
- **Standards Sub-Committee Terms of Reference**
- **Contracts and Legal Matters Orders**
- **Contracts Procedure Rules**

2. Delegate the power to the Monitoring Officer to make editorial changes to the Standing Orders for their Publication

1. REASON FOR THE DECISION

The draft Corporate Joint Committees (Wales) Regulations 2022 that there will be a requirement on the CJC to prepare and publish a constitution.

The aim of this report is to adopt further elements of the Constitution with the intention to complete the document in due course.

2. BACKGROUND

Amendments to the Local Government Act 2000 have created a statutory requirement for the CJC as with the constituent Councils to adopt and publish a Constitution. According to the statutory guidance:

“must contain a copy of the CJs standing orders, a copy of the CJs code of conduct and such information as the CJC considers appropriate. The constitution will also wish to consider such matters as are set out in the CJC regulations including for example the Schedule to the Establishment Regulations”

Corporate Joint Committees: Statutory Guidance

It is considered that the Constitution should contain the following:

1. PURPOSE DEFINITIONS AND MAINTAINING	To be prepared
2. ACCESS TO INFORMATION AND CONTRIBUTING TO THE WORK OF THE CJC	To be prepared
3. CJC STANDING ORDERS	Adopted
4. SUB COMMITTEE STANDING ORDERS	Adopted
5. SUB COMMITTEES	Adopted with the exception of Standards Committee which is included in the report
6. OFFICERS	To be prepared
7. CONTRACTS AND LEGAL MATTERS	In the report
8. SCHEME OF DELEGATION	To be prepared
9. FINANCIAL ORDERS	To be prepared
10. PROCUREMENT STANDING ORDERS	In the report
11. MEMBERS CODE OF CONDUCT	Statutory form and in the report
12. MEMBER OFFICER PROTOCOL	To be prepared in consultation with the Standards Sub-Committee
13. WHISTLEBLOWING	To be prepared in consultation with the Standards Sub-Committee

The recommendation is to adopt:

(a) Code of Conduct for Members and Co-opted members.

This is in a mandatory statutory form and reflects the Code adopted across all partner authorities. It is possible to add further provisions but that is not general practice. However, the Standards Sub Committee can consider such issues and advise. With the development of the Sub Committees and co-option there is a need to formally adopt the Code.

(b) Standards Committee Terms of Reference

This recommends a form of Standards Committee. Currently the position in relation to the Standards Committee Regulations remains uncertain. However, in the absence of guidance on advertising e.g. a form which can meet the requirements. In reality it is not anticipated that the Standards Sub Committee will have a high workload from the outset and drawing on experienced members from the partner authorities is a more practical way of running a Standards Sub Committee drawing on the induction and training provided in the regional Standards Committees. I have consulted with the regional Monitoring Officers on this proposal

(c)Contract and Legal Matters Orders

This clearly sets out the administrative arrangements for contracts, court proceedings and rights to sign.

(d)Contract Procedure Rules

As we move into a more operational phase it is essential that the CJC's procurement arrangements are clear. It suggested that the recently up dated Gwynedd template is adopted which also represent the rules implemented by the Portfolio Office .

Monitoring Officer

Report author

Finance Officer

“The development and adoption of an appropriate Constitution is a key cornerstone of robust governance, and the elements included in the Appendices are important initial steps in this here. I support the decision sought.”

Appendices:

1. Members and Co-Opted Members Code of Conduct
2. Standards Sub-Committee Terms of Reference
3. Contracts and Legal Matters Orders
4. Contracts Procedure Rules