

Code of Conduct Training Requirements

Final Decision-Maker	Council
Lead Head of Service	<i>Head of Policy Communications and Governance and Head of Housing and Community Services</i>
Lead Officer and Report Author	Ryan O'Connell, Democratic and Electoral Services Manager
Classification	Public
Wards affected	<i>All</i>

Executive Summary

This report sets out new proposed wording for the Code of Conduct for Councillors and Officers Dealing with Licensing Matters to reduce the complexity and burden of licensing committee training requirements.

Purpose of Report

Decision (recommendation to Council)

This report makes the following recommendations to this Committee:

1. That the new wording set out paragraph 4.2 be recommended to Council for the Code of Conduct for Councillors and Officers dealing with Licensing matters

Timetable

Meeting	Date
Licensing Committee	17 September 2020
Council	30 September 2020

Code of Conduct Training Requirements

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	The recommendations in the report will not materially impact on the Council's strategic objectives but will improve efficiency in the operation and governance in licensing committee decisions.	Democratic and Electoral Services Manager
Cross Cutting Objectives	The recommendations in the report will not materially impact on the Council's strategic objectives but will improve efficiency in the operation and governance in licensing committee decisions.	Democratic and Electoral Services Manager
Risk Management	<i>Covered in the risk management section below</i>	Democratic and Electoral Services Manager
Financial	There are no financial implications arising out of the report.	Democratic and Electoral Services Manager
Staffing	There are no staffing implications arising out of the report.	Democratic and Electoral Services Manager
Legal	The proposed wording provides clarity to ensure that the Licensing Committee have a mechanism for appropriate training and that new members of the committee receive training. This clarity will ensure that all Members receive the correct training and decisions taken by the committee are robust and in accordance with relevant licensing policy, legislation and guidance.	Team Leader (Corporate Governance), MKLS
Privacy and Data Protection	There are no privacy and data protection implications arising out of the report.	Policy and Information Team
Equalities	The proposed wording has no equalities impacts, however the means of delivering the training in future reports will need to be assessed to ensure it is accessible to all Members and Substitutes of the Licensing Committee	Democratic and Electoral Services Manager

Public Health	There are no public health implications arising from the report.	Public Health Officer
Crime and Disorder	There are no crime and disorder implications arising from the report	Democratic and Electoral Services Manager
Procurement	There are no procurement implications arising from the report	Democratic and Electoral Services Manager

2. INTRODUCTION AND BACKGROUND

- 2.1 In June 2016 a report was presented to the Licensing Committee 'Licensing Committee Roles and Responsibilities' that recommended a training programme in accordance with the Code of Conduct for Councillors and Officers Dealing with Licensing Matters ('Code of Conduct') (Part 4.5 of the Constitution) and made a second recommendation that training be refreshed every year (only) **if required**. These recommendations were agreed.
- 2.2 The Code of Conduct sets out training that **is required** under 1(c). (Part 4.5, 1(c) of the Constitution). This states: "Existing members and substitute members of the Licensing Committee should be updated regularly on changes of legislation and procedures **and must receive refresher training on an annual basis.**"
- 2.3 The second resolution of the Licensing Committee in June 2016, to only receive refresher training if required is therefore not able to be put in to practice as the Constitution requires annual training regardless.
- 2.4 This report sets out recommended wording to clarify the training for Licensing Committee and to tighten it up whilst allowing the Committee flexibility to set a training programme annually that suits its specific needs at that time.

3. AVAILABLE OPTIONS

- 3.1 Option 1 – Adopt new wording to simplify the training requirements whilst providing flexibility.
- 3.2 Option 2 - Leave the wording as it is requiring mandatory annual refresher training for all existing Members of the Committee.
- 3.3 Option 3- the Committee can come up with alternative wording to recommend to Council.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

4.1 Option 1 is the preferred option as this would deliver a flexible training programme annually and simplify the wording in the Constitution reducing risks for training requirements to be missed or misunderstood.

4.2 The recommended wording is as follows:

(c) The Council has agreed that no Councillor will be able to serve on this Committee without having agreed to undertake a minimum period of training on the policies, procedures, legislation and guidance relevant to this Committee as specified by the Committee. This training must be completed to an agreed programme set by the Committee annually with a due date for completion. New members must receive training, but the programme may include no training provision for experienced members if there have been no relevant changes to legislation, policies or guidance.

If a Councillor has not completed the specified training by the due date, the Councillor will cease to be a member/substitute member of this Committee until the training has been completed. The Head of Housing and Community Services will keep a record of the training requirements of this Committee and of Councillors' compliance with the requirements.

4.3 Administratively this can be put into practice by having a training report presented to the first meeting of the Committee each year, this could be done at the 'snap committee' meeting where the Chairman and Vice-Chairman are appointed or at the first 'full' meeting of the Committee.

5. RISK

5.1 Having an appropriate training programme manages the risk of challenge to a Committee's decisions – this is particularly relevant for regulatory decisions. Having an over complicated or arduous requirement can conversely increase risks of challenge as the Council needs to demonstrate that the Committee is (a) trained appropriately but also (b) trained to the Council's own requirements.

5.2 The recommended wording is considered to be a balance of ensuring Members are trained and flexibility to ensure a fit for purpose training programme that the Council can be confident will be adhered to.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

6.1 The Licensing Committee have previously agreed to more flexible training arrangements which is covered in this report.

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 If Licensing Committee agree the wording it will be referred to Council to approve the changes to the Constitution on 30 September 2020.
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8. REPORT APPENDICES

None

9. BACKGROUND PAPERS

Licensing Committee Report – Licensing Committee Roles and Responsibilities –
16 June 2016