



Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	COUNCIL 20th JULY 2022
Report Number	AGENDA ITEM 8
Subject	ADDITIONS TO THE CONSTITUTION: a) BUDGET COUNCIL PROTOCOL AND, b) SOCIAL MEDIA GUIDANCE FOR MEMBERS.
Wards affected	ALL
Accountable member(s)	Cllr Joe Harris - Leader of the Council Email: joe.harris@cotswold.gov.uk
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Summary/Purpose	To update Council on the work and recommendations of the Constitution Working Group who have been modernising the Constitution.
Annexes	Annex A: Budget Council Protocol and flowchart Annex B: Social Media Guidance for Members
Recommendation/s	That Council: I. Adopts the Budget Council Protocol for inclusion in the Council's Constitution. II. Adopts the Members' Social Media Policy, as an annex to the existing Elected Members' Code of Conduct, for inclusion in the Council's Constitution.
Corporate priorities	Ensure that all services delivered by the Council are delivered to the highest standard
Key Decision	No
Exempt	No
Consultees/ Consultation	Elected Members of the Constitution Working Group Local Management Team Finance Team Communications Team

1.0 BACKGROUND

1.1 The Constitution sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. The Council has a legal duty to publish an up to date Constitution and it should be reviewed annually with any necessary changes being considered at the Full Council.

1.2 The Constitution must contain:

- the Council's Standing Orders/Procedure Rules;
- the Members' Code of Conduct;
- such information as the Secretary of State may direct;
- such other information (if any) as the authority considers appropriate.

1.3 In 2019, the Council established a cross party Constitution Working Group who agreed a work programme of proposed changes to ensure the Constitution is kept up to date.

1.4 This report deals with proposals for two new parts to the Constitution which have been agreed with the Constitution Working Group.

- a) A Budget Council Protocol
- b) Social Media Guidance for Members.

2.0 BUDGET COUNCIL PROTOCOL

2.1 The Council budget setting meeting is the meeting of Council where the revenue budget for the forthcoming year, the Medium Term Financial Strategy, the Capital Programme and documents including the Capital, Investment and Treasury Management Strategies are considered and approved. In order to help councillors and members of the public with the process and running of the meeting, a protocol was utilised for Budget Council in February 2022. The proposal is to adopt this protocol for inclusion in the Council's Constitution for subsequent use.

3.0 SOCIAL MEDIA GUIDANCE FOR ELECTED MEMBERS

3.1 In recent years, there has been an increase in Code of Conduct complaints against Councillors in respect of their social media use. Many local authorities have sought to limit the amount of complaints by introducing guidance on social media and policies. At present, the Council does not have any specific guidance on social media use for its Councillors.

3.2 The Local Government Association (LGA) Model Code of Conduct for elected members was published on 23 December 2020, and adopted by the Council in March 2021. The Code of Conduct for Elected Members specifically states that the Code extends to; *'all forms of communication and interaction, including ... in electronic and social media communication, posts, statements and comments'*.

3.3 When the LGA's Model Code of Conduct was being consulted on nationally during 2019/20, 69% of respondents believed that social media guidance should be integrated into the Model Code of Conduct. Despite the overwhelming support for the incorporation of social media guidance into the Model Code, this didn't happen. Therefore, the Council has developed its own Social Media Guidance, as an annexe to the Code of Conduct for Elected Members, to assist Councillors of Cotswold District Council.

3.4 If the Social Media Guidance is adopted by Council it will be followed with a social media training session for interested Members.

4.0 FINANCIAL IMPLICATIONS

4.1 None specific or arising from this report.

5.0 LEGAL IMPLICATIONS

5.1 Save that any changes to the Constitution need to be approved by Council, there are no specific legal implications arising from the recommendations in this report.

6.0 RISK ASSESSMENT

6.1 There are no specific risks associated with this report. However, failure to have a robust and up to date Constitution does place the Council at the risk of legal challenge.

7.0 ALTERNATIVE OPTIONS

7.1 Full Council could decide:

- not to adopt either the Budget Council Protocol and/or the Social Media Guidance for Members;
- refer back to the Constitution Working Group for further consideration and amendments.

8.0 BACKGROUND PAPERS

Council's Constitution.