



SHEFFIELD CITY COUNCIL Report to Council

Report of: Interim Director of Legal and Governance

Date: 20 February 2023

Subject: Changes to the Constitution

Author of Report: Jason Dietsch, Head of Democratic Services

Purpose of Report:

This report (a) seeks approval for (i) proposed revisions to the Terms of Reference for the Health and Wellbeing Board, to maintain the historic co-chairing arrangement between the Council and local NHS, (ii) several consequential changes to be made to the Council's Petitions Scheme and its operation at full Council meetings, (iii) proposed revisions to the Officer Employment Procedure Rules and the Officers' Code of Conduct, to improve accessibility and clarity and (iv) several further minor or consequential changes to be made to the Council's Constitution; and

(b) provides details of a minor change that has been made to the Council's Constitution by the Interim Director of Legal and Governance during December 2022, relating to the arrangements for substitution at committee meetings.

Recommendations:

That the Council (i) approves the changes to the various Parts of the Constitution, as outlined in sections 3.1 to 3.7 of the report and as set out in appendices B to J; and

(ii) notes the minor change to the Council Procedure Rules in Part 4 of the Constitution that had been made by the Interim Director of Legal and Governance, as outlined in section 4 of the report and as set out in appendix K.

Background Papers: NONE

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial & Commercial Implications
NO Cleared by: Liz Gough
Legal Implications
YES Cleared by: Andrea Simpson
Equality of Opportunity Implications
YES Cleared by: Daniel Spicer
Climate impact
NO
Tackling Health Inequalities Implications
YES – Section 3.1
Human rights Implications
NO
Economic impact
NO
Community safety implications
NO
Human resources implications
NO – Sections 3.3 – 3.5
Property implications
NO
Area(s) affected
None
Is the item a matter which is reserved for approval by the City Council?
YES
Press release
NO

1. Introduction

1.1 This report (a) seeks approval for (i) proposed revisions to the Terms of Reference for the Health and Wellbeing Board, to maintain the historic co-chairing arrangement between the Council and local NHS, (ii) several consequential changes to be made to the Council's Petitions Scheme and its operation at full Council meetings, (iii) proposed revisions to the Officer Employment Procedure Rules and the Officers' Code of Conduct, to improve accessibility and clarity and (iv) several further minor or consequential changes to be made to the Council's Constitution; and

(b) provides details of a minor change that has been made to the Council's Constitution by the Interim Director of Legal and Governance during December 2022, relating to the arrangements for substitution at committee meetings.

2. Background

2.1 An updated constitution for the City Council, reflecting the committee system of governance to be operated by the Council from the Municipal Year 2022-23, was approved at the annual meeting of the Council held on 18th May 2022. In approving the Constitution, the Council authorised the Director of Legal and Governance to undertake any minor and consequential drafting changes as may be necessary as the new system is embedded.

2.2 The Council's Constitution sets out how the Council operates, how decisions are made and the procedures that are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by law, whilst others are a matter for the Council to choose. The Constitution contains 17 Articles in Part 2, which set out the basic rules governing the Council's business. Part 3 of the Constitution sets out who is responsible for making what decisions, including remits of Committees and arrangements for delegation to officers. More detailed procedures and codes of practice are provided in separate rules and protocols contained within the other parts of the Constitution.

2.3 The Council has a legal duty to keep its constitution up to date. In accordance with Article 16 of the Constitution (Review and Revision of the Constitution), changes to the Constitution will only be made with the approval of the Full Council, after consideration of the proposal by a Committee of the Council, the Chief Executive or the Monitoring Officer.

2.4 In addition, however, the Director of Legal and Governance, in consultation with the Lord Mayor, has delegated authority to make any minor and consequential drafting changes to the Constitution.

3. Proposed Changes and Reasons

3.1 Sheffield Health and Wellbeing Board – Terms of Reference

- 3.1.1 It is proposed to make an additional change to the Terms of Reference of the Sheffield Health and Wellbeing Board, relating to its chairing arrangements.
- 3.1.2 The Sheffield Health and Wellbeing Board is a statutory committee of the Council established under the Health and Social Care Act 2012. The role of the Board is defined in Article 10 (The Health & Wellbeing Board) of the Council's Constitution, and its Terms of Reference are set out in section 3.3.6 of Part 3 (Responsibility for Functions) of the Constitution.
- 3.1.3 Changes to the Board's Terms of Reference were approved by the Council at its meeting held on 2 November 2022. This followed a review, commissioned by the Board, of its role and activities, particularly in light of NHS and City Council governance reforms.
- 3.1.4 However, one matter remained to be resolved, relating to the chairing arrangements for the Board. The report submitted to full Council on this matter stated that the arrangement by which the Health and Wellbeing Board was co-chaired by an elected member and the Chair of the Clinical Commissioning Group Governing Body had been seen as a powerful statement of partnership working. However, at the time of approving the changes to the terms of reference, it had not been possible to determine the appropriate role to fill the NHS side of this arrangement as new governance arrangements for the NHS in Sheffield continue to develop. Discussions with partners and the Board were to continue to investigate how a co-chairing arrangement can be re-established, with any further proposals for changes to the Terms of Reference of the Board resulting from these discussions brought to full Council for consideration at the earliest opportunity.
- 3.1.5 A report on this matter, seeking approval to maintain the historic co-chairing arrangement between the Council and local NHS, was submitted to the meeting of the Board on 8 December 2022. The Board agreed that chairing of the Board will be shared between the Chair of the Sheffield City Council Adult Health and Social Care Policy Committee, and the NHS Sheffield Director with responsibility for clinical leadership, and proposed that the necessary changes to the Board's Terms of Reference be submitted for approval by Full Council at the next available opportunity.
- 3.1.6 The report submitted to the Board's meeting on 8 December 2022 is appended for information (Appendix A). The proposed changes to the Board's Terms of Reference are set out in Appendix B to this report. The Council is asked to approve those changes to the Terms of Reference.

3.1.7 Also, at its meeting on 2 November 2022, the Council approved a consequential amendment to section 10.1 of Article 10 to define the role of the Board by reference to its statutory role. The Better Care Fund was given in that amendment as an example of arrangements under section 75 of the National Health Service Act 2006 but the word “including” was omitted, giving the misleading impression that all such arrangements came within the Better Care Fund. The Council is asked to approve a further amendment to Article 10.1 correcting this omission, as set out in Appendix C to this report.

3.2 Petitions Scheme

3.2.1 Consequential changes are proposed to be made to the Council’s Petitions Scheme, contained in Part 5 (Codes and Protocols) in the Constitution, to (a) correct the deadline for submission of petitions, to bring it in line with the deadline stated in the Council Procedure Rules (i.e. by 9.00 a.m. two working days prior to the meeting), which is the deadline published on the Council’s website and being operated since May 2022, (b) include references to petitions being able to be submitted to Policy Committee Sub-Committees (i.e. Finance Sub-Committee, Charity Trustee Sub-Committee, and Health Scrutiny Sub-Committee), to provide enhanced clarity and reflect current practice and (c) update the references in the Scheme to Executive Directors in view of changes made in recent months to the senior management structure of the Council.

3.2.2 Linked to paragraph (b) in the previous paragraph, the Council Procedure Rules (CPRs) in Part 4 of the Constitution also refer to petitions (at CPR 13), but no mention is included of Policy Committee Sub-Committees. It is therefore proposed to include an appropriate reference to the Policy Committee Sub-Committees within paragraph 13.1 of that Rule, to similarly provide enhanced clarity and reflect current practice.

3.2.3 It is also proposed to amend the wording in CPR 13 in a couple of areas where it outlines the courses of action available to the Council following its receipt, or debate, of a petition. The changes being proposed are designed to remove an ambiguity whilst also reflecting the practice operated since May 2022 under the Council’s committee system of governance. The Rule currently states that the Council may refer a petition to another body, which now tends to be to an appropriate Policy Committee. In practice, it is the subject matter of a petition, not the petition itself, that is referred on from full Council following its presentation either as an ordinary petition, or (in the case of petitions with over 5,000 signatures) it being debated by Council. The present wording of the CPR, however, could be interpreted to mean that the petition may be re-presented at a meeting of the receiving Committee. This is not the case - petitioners do not have a further right to present their petition for a 2nd time, although the committee chair does have the discretion to invite the petitioners to a meeting and invite them to

participate, as deemed appropriate. In order to remove this potential for confusion, it is proposed to change the referral references from “refer the petition” to “refer the matter”.

- 3.2.4 The proposed changes to be made to the Petitions Scheme and to the Council Procedure Rule, are set out in Appendices D and E to this report.

3.3 Officer Employment Procedure Rules

- 3.3.1 It is proposed to make amendments to the Officer Employment Procedure Rules in Part 4 of the Constitution to simplify and provide enhanced clarity to those Rules, particularly in relation to disciplinary action.

- 3.3.2 The Officer Employment Procedure Rules were revised in 2015 to incorporate the changes in respect of disciplinary action against the Statutory Officers (Head of Paid Service, Monitoring Officer and Chief Finance Officer) made by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 and have not been substantively amended since then. The current procedure, though compliant with the Regulations, is over-complicated, particularly in respect of the role of the Independent Panel which has been treated as an intermediary throughout the disciplinary process.

- 3.3.3 The procedure has been reviewed by the Director of Human Resources and Customer Services and the Interim Director of Legal and Governance, taking into account the JNC for Local Authority Chief Executives model procedure, and simplified so that the Senior Officer Employment Committee has more control over the process and the Independent Panel’s role is clarified as being an advisory committee in respect of matters relating to the dismissal of those Statutory Officers. In addition, some drafting of the Procedure Rules has been simplified and the disciplinary process for both Statutory and other Chief Officers has been made clearer with the advisory role of the Director of Human Resources and Customer Services noted. The Rules remain compliant with the 2015 Regulations and earlier regulations that remain in force.

- 3.3.4 The proposed changes to the Officer Employment Procedure Rules are set out in Appendix F to this report. The amendments also show that the reference to the Executive Director, People, in the list of Statutory Chief Officers has been amended to the Director of Children’s Services, as agreed by Full Council in September 2022.

3.4 Officers’ Code of Conduct

- 3.4.1 It is proposed to make amendments to the Officers’ Code of Conduct in Part 5 of the Constitution to improve accessibility and clarity of the Code by removing all but one of its appendices.

3.4.2 Historically, the Officers' Code of Conduct has included, as appendices, several HR and other Council policies, extending the total length of the document by about 100 pages. The policies themselves are all available on the HR pages of the Council's Intranet but updated versions have not necessarily been updated in the Constitution, which may cause confusion as to which version of the policy is applicable. It is proposed that the Code of Conduct in the Constitution exclude the appendices (with the exception of the policy on politically restricted posts – see section 3.5 of this report), while referring to and listing the relevant policies. The standard of conduct expected remains clear to Officers and other readers of the Constitution and the document is more accessible as a result of the change.

3.4.3 The proposed changes to the Officer's Code of Conduct (excluding the appendices) are set out in Appendix G to this report.

3.5 Politically Restricted Posts

3.5.1 The Council's policy on politically restricted posts is currently attached to the Officers' Code of Conduct as Appendix J. It is not an HR policy but a statement of how the Council meets the requirements on politically restricted posts in section 2 of the Local Government and Housing Act 1989, together with a list of such posts. It is proposed to retain this document in the Constitution as the sole Appendix to the Officers' Code of Conduct in Part 5.

3.5.2 The policy has been updated to reflect changes to the Council's management structure and statutory officers, governance arrangements, and service delivery, including that the reference to the Executive Director, People, in the list of Statutory Chief Officers has been amended to the Director of Children's Services, as agreed by Full Council in September 2022.

3.5.3 The proposed changes to the Politically Restricted Posts policy are set out in Appendix H to this report.

3.6 Transport, Regeneration and Climate Policy Committee Terms of Reference

3.6.1 Minor changes are proposed to be made to correct the name of the Transport, Regeneration and Climate Policy Committee (established with that name at the annual meeting of the Council on 18th May 2022) within the Committee's terms of reference within the Constitution, to remove the word "Change" which appears within three references to the name of the Committee.

3.6.2 The proposed changes are in Part 3.3 (Matters Delegated to Committees and Sub-Committees), specifically in section 3.3.1 (Policy

Committees), and are set out in Appendix I to this report

3.7 Article 17 (Suspension, Interpretation and Publication of the Constitution) - Definition of “Executive Director”

3.7.1 A consequential change is proposed to be made to Article 17 (Suspension, Interpretation and Publication of the Constitution) of the Council’s Constitution, relating to the definition of “Executive Director”.

3.7.2 Since the Constitution was approved by Council in May 2022 there have been interim changes to the senior management structure which mean that the definition of “Executive Director” no longer accurately describes all the Officers at that level who may carry out the functions of an “Executive Director” as the term is used throughout the Constitution. The proposed change to the definition rectifies this problem without requiring wholesale changes elsewhere in the Constitution.

3.7.3 The proposed change to be made to Article 17 is set out in Appendix J to this report.

4. Minor or Consequential Changes Previously Made To The Constitution

4.1 Arrangements Relating To The Appointment of Substitutes on Committees

4.1.1 A minor change to the Council Procedure Rules in Part 4 of the Constitution was made on 14 December 2022 by the Interim Director of Legal and Governance, in consultation with the Lord Mayor and the Whips of the political groups on the Council, under the authority granted by the Council at its annual meeting held on 18 May, 2022. The change related to the arrangements for substitution at committee meetings.

4.1.2 Council Procedure Rule 33 is “Appointment of Substitutes on Committees”. The Rule includes a requirement that the Chief Executive (or his/her representative) must be notified in writing of an intended substitution at least one full working day before the day of the Committee. The change made to that Rule by the Interim Director of Legal and Governance was to add a clause giving authority to the Monitoring Officer, in consultation with the relevant Chair, to permit a substitute if the one full working day notice has not been given, if satisfied there is a good reason why the required notice was not given. This additional provision would, for example, enable a late substitution to be made if a member of a committee becomes ill on the night before, or on the day of, a meeting of the committee.

4.1.3 The changes made to Council Procedure Rule 33 are set out in Appendix K to this report.

5. Risk Analysis and Implications of the Recommendations

5.1 Legal Implications

5.1.1 Except where delegated by Council as indicated at paragraphs 2.1 and 2.4, variations to the Constitution may only be made by Full Council.

5.1.2 Under Section 9P of the Local Government Act 2000, the Council must prepare a constitution and keep it up to date. It must be available to the public and, under the Local Government Transparency Code 2015, be published on the Council's website. The proposed changes in this report will bring parts of the Constitution up to date to comply with the legislation.

5.1.3 Other legal implications are stated in the body of the report.

5.2 Financial and Commercial Implications

5.2.1 There are no financial or commercial implications.

5.3 Equality of Opportunity Implications

5.3.1 As a public sector organisation, the Council has a number of statutory duties with regards to equality. The Council must consciously think about its statutory duties, both in the way we behave as an employer and when we develop and review policy and set our budgets.

5.3.2 We know that, in general, those who live in the more deprived areas of Sheffield live shorter lives than those in the more affluent parts; and there is also a significant difference in the length of time that people can expect to live in good health. These health inequalities are not only apparent between people of different socio-economic groups and geographic distribution, they can also exist between groups with different protected characteristics (under the Equality Act 2010), including some BAME communities and those with learning disabilities.

5.3.3 As set out in paragraphs 1.2 and 1.3 of the Terms of Reference of the Health and Wellbeing Board (see Appendix B), the role of the Board includes (a) developing and maintaining a vision for a city free from inequalities in health and wellbeing and (b) being the system leader for health & wellbeing, acting as a strong and effective partnership to maximise the impact of all institutions in Sheffield on reducing health inequalities in the city and improve the planning, commissioning and delivery of services across the NHS and Council.

5.3.4 The proposed changes to the Board's Terms of Reference, to maintain the historic co-chairing arrangement between the Council and local NHS, will assist it to fulfil those roles.

5.3.5 There are no equality of opportunity implications associated with the other changes proposed to be made to the Constitution, as these are mainly cosmetic changes, or, in the case of the changes proposed to be made to the Officer Employment Procedure Rules, merely seek to simplify and provide enhanced clarity to the disciplinary procedures.

5.4 Human Resources Implications

5.4.1 There are no Human Resources implications arising from these changes. The amendments to the Officer Employment Procedure Rules simplify drafting, clarify procedures and bring the disciplinary procedure for Statutory Officers fully in line with the Model Procedure agreed by the JNC for Local Authority Chief Executives.

5.4.2 The amendments to the Officer Code of Conduct do not change the standard of conduct but make it easier to follow. The amendments to the Policy on Politically Restricted Posts do not change the policy but update it in respect of the posts involved and current Council arrangements for management structure, governance and service delivery.

6. ALTERNATIVE OPTIONS CONSIDERED

6.1 The Council could choose not to approve the proposed changes to the terms of reference of its Health and Wellbeing Board. However, this would mean that the benefits of the co-chairing arrangements between the Council and local NHS would be lost.

6.2 The Council could choose not to approve the other, mainly cosmetic, changes being recommended, but this would mean that several ambiguities and drafting errors would remain and efforts to simplify the disciplinary procedures and improve the accessibility of the Constitution would be stalled, and conflict with the Council's aim to keep its constitution under review and its duty to keep it up to date.

7. REASONS FOR RECOMMENDATIONS

7.1 The approval of the updates to the Council's Constitution will enable the Council to meet its duty to keep its Constitution up to date. This is especially relevant and important as the Council's new committee system form of governance develops over the coming months and early years ahead.

7.2 Approval of the proposed changes (in section 3.1) to the terms of reference of the Council's Health and Wellbeing Board, to maintain the historic co-chairing arrangement between the Council and local NHS, is seen as a powerful statement of partnership working.

- 7.3 Approval of the proposed changes (in section 3.3) relating to the procedures in respect of disciplinary action against the Statutory Officers, whilst remaining compliant with the 2015 Regulations and earlier regulations that remain in force, will offer the Senior Officer Employment Committee more control over the process and clarify that the Independent Panel's role is as an advisory committee in respect of matters relating to the dismissal of those Statutory Officers.

HEALTH AND WELLBEING BOARD PAPER FORMAL PUBLIC MEETING

Report of: Greg Fell

Date: 8th December 2022

Subject: Health & Wellbeing Board Chairing Arrangements

Author of Report: Dan Spicer, 273 4554

Summary:

This paper sets a proposed change to the Board's Terms of Reference to maintain the historic co-chairing arrangement between the Council and local NHS, following the Board's previous discussion on Terms of Reference changes in September 2022.

Questions for the Health and Wellbeing Board:

N/A

Recommendations for the Health and Wellbeing Board:

The Board are recommended to:

- Agree that chairing of the Board will be shared between the Chair of the Sheffield City Council Adult Health and Social Care Policy Committee, and the NHS Medical Director for Sheffield; and
- Propose the necessary changes to the Board's Terms of Reference to Full Council at the next available opportunity.

Background Papers:

- [Board Review and Terms of Reference Update](#)
-

Which of the ambitions in the Health & Wellbeing Strategy does this help to deliver?

This report addresses the functioning of the Board and as a result relates to the Strategy as a whole.

Who has contributed to this paper?

Health & Wellbeing Board Steering Group

HEALTH & WELLBEING BOARD CHAIRING ARRANGEMENTS

1.0 SUMMARY

1.1 This paper sets a proposed change to the Board's Terms of Reference to maintain the historic co-chairing arrangement between the Council and local NHS, following the Board's previous discussion on Terms of Reference changes in September 2022.

2.0 HOW DOES THIS IMPACT ON HEALTH INEQUALITIES IN SHEFFIELD?

2.1 As the body with principal responsibility for addressing health inequalities in Sheffield, ensuring the Health and Wellbeing Board is fit for purpose is critical to this mission.

3.0 CHAIRING ARRANGEMENTS FOR THE HEALTH AND WELLBEING BOARD

3.1 At their September meeting, the Health and Wellbeing Board agreed to recommend to Full Council a number of changes to their Terms of Reference, based on the outcome of a review conducted over the last year. These changes have now been approved by Full Council at their meeting on 2nd November 2022, and been incorporated into the Council's Constitution.

3.2 One outstanding issue remains that could not be agreed at the Board's September meeting: that of chairing arrangements for the Board's meetings. Since its inception the Board has been co-chaired by an elected member of the Council and the Chair of the Clinical Commissioning Group Governing Body, with this shared arrangement seen as an important symbol of partnership working.

3.3 With the recent changes to NHS governance following the Health and Care Act 2022, there is a need to identify a new co-chair if this shared approach is to be maintained. At their September meeting, the Board were offered two options for consideration but were unable to make a decision on a preferred approach. As a result of this the Board's Steering Group were asked to consider the issue and propose a way forward.

3.4 The Steering Group have discussed the issue at length, considering the following issues:

- The value of the statement of partnership
- The limited number of Sheffield-specific non-executive roles in the new NHS governance structures
- The issue of executive accountability to governance structures
- A desire to maintain primary care clinical input into the Board
- The potential for a co-chair who is independent of the major statutory organisations

3.5 Following these discussions the Steering Group have agreed that to balance all of these aims, they propose that the co-chairing arrangement be maintained, with the role

being shared between the Chair of the Sheffield City Council Adult Health and Social Care Policy Committee, and the Medical Director for Sheffield Place, South Yorkshire Integrated Care Board.

- 3.6 The Steering Group make this proposal as the best available option to manage the trade-offs set out above, with a particular focus on the clinical primary care experience and expertise that the current occupant of the role can offer. However, in acknowledgement of the possibility that a different occupant of this may not offer the same skill set, it is recommended that this arrangement is reviewed whenever there is a change in personnel in these roles.
- 3.7 The Health and Wellbeing Board are now asked to agree this proposal, and put it to Full Council at the next available opportunity for incorporation into the Board's Terms of Reference.

4.0 RECOMMENDATIONS

4.1 The Board are recommended to:

- Agree that chairing of the Board will be shared between the Chair of the Sheffield City Council Adult Health and Social Care Policy Committee, and the Medical Director for Sheffield Place, South Yorkshire Integrated Care Board;
- That this arrangement will be reviewed whenever there is a change in personnel in the relevant role(s); and
- Propose the necessary changes to the Board's Terms of Reference to Full Council at the next available opportunity.

SHEFFIELD HEALTH AND WELLBEING BOARD

Terms of Reference

Approved by Full Council on 2nd November 2022

1. Role and Function of the Health and Wellbeing Board

- 1.1 The Sheffield Health and Wellbeing Board (the Board) is established under the Health and Social Care Act 2012 as a statutory committee of Sheffield City Council (the Council) from 1 April 2013. However, it will operate as a multi-agency board of equal partners.
- 1.2 The Board will develop and maintain a vision for a city free from inequalities in health and wellbeing, taking a view of the whole population from pre-birth to end of life.
- 1.3 The Board will be the system leader for health & wellbeing, acting as a strong and effective partnership to:
 - Maximise the impact of all institutions in Sheffield on reducing health inequalities in the city; and
 - Improve the planning, commissioning, and delivery of services across the NHS and Council.
- 1.4 In doing this, the Board will take an interest in all the determinants of health and wellbeing in Sheffield and will work across organisational boundaries in pursuit of this.
- 1.5 The Board will be ambitious for Sheffield and hold organisations in Sheffield to account for the delivery of the Board's vision for the city. It will support organisations to work in an integrated way, for the purpose of advancing the health and wellbeing of people in Sheffield.
- 1.6 The Board is statutorily required to carry out the following functions:
 - To undertake a Joint Strategic Needs Assessment (JSNA)¹;
 - To undertake a Pharmaceutical Needs Assessment (PNA)²;
 - To develop and publish a Joint Health and Wellbeing Strategy (JHWS) for Sheffield³
 - To provide an opinion on whether the Council is discharging its duty to have regard to the JSNA, and the JHWS, in the exercise of its functions⁴;

¹ Section 116 Local Government and Public Involvement in Health Act 2007 (the LGPIHA 2007)

² Section 128A National Health Service Act 2006 (the NHS Act 2006).

³ Under Section 116A LGPIHA 2007

⁴ Under Section 116B LGPIHA 2007

- To contribute to the NHS South Yorkshire Integrated Care Partnership’s Integrated Care Strategy, setting the direction for the Integrated Care Board;
- To engage with the Integrated Care Board on their five year forward plan, setting out how the ICB will deliver its core duties including what it will do to implement the JHWS, before the start of each financial year;
- To produce a statement on the Board’s final opinion on this plan, following consultation with the ICB;
- To contribute to NHS England’s annual performance assessment of how well the ICB is discharging its duties, including its contribution to delivery of the JHWS;
- To support joint planning and commissioning and encourage integrated working and pooled budget arrangements⁵ in relation to arrangements for providing health, health-related or social care services;
- To discharge all functions relating to the Better Care Fund that are required or permitted by law to be exercised by the Board; and
- To receive and approve any other plans or strategies that are required either as a matter of law or policy to be approved by the Board.

1.7 In addition to these the Board will also take an interest in how all organisations in Sheffield function together to deliver on the Joint Health & Wellbeing Strategy.

1.8 The Board will own and oversee the strategic vision for health and wellbeing in Sheffield, hold all partners and organisations to account for delivering against this by taking an interest in all associated strategies and plans and, when appropriate, requesting details on how specific policies or strategies help to achieve the aims of the Joint Health & Wellbeing Strategy.

1.9 The Board will continue to oversee the strategic direction of the Better Care Fund and the delivery of better integrated care, as part of its statutory duty to encourage integrated working. This will include signing off quarterly and annual Better Care Fund submissions.

2. Membership

2.1 The membership of the Board is as follows:

- Chair of Sheffield City Council Adult Health & Social Care Policy Committee
- Chair of Sheffield City Council Education, Children & Families Policy Committee
- Chair of Sheffield City Council Housing Policy Committee
- Sheffield City Council Chief Executive
- Sheffield City Council Director of Adult Social Services appointed under section 6 of the Local Authority Social Services Act 1970
- Sheffield City Council Director of Children’s Services appointed under section 18 of the Children Act 2004

⁵ In accordance with Section 195 Health and Social Care Act 2012. This includes encouraging arrangements under Section 75 NHS Act 2006.

- Sheffield City Council Executive Director, City Futures as the Executive Director with responsibility for economic development
- Sheffield City Council Director of Public Health appointed under section 73A National Health Service Act 2006
- NHS South Yorkshire Executive Director for Sheffield
- NHS Sheffield Director with responsibility for strategic leadership
- NHS Sheffield Director with responsibility for clinical leadership
- Nominated representative of the Health and Care Partnership
- Nominated representative of NHS Acute Provider Trusts
- Nominated clinical representative of Primary Care Networks
- Nominated representative of partners working with or for children and young people
- Nominated representative of partners working to support mental health and wellbeing
- Representative from a VCF organisation working citywide
- Representative from a VCF organisation working within a locality
- Representative from a VCF organisation working with a specific group
- Representative of South Yorkshire Police
- Chair of Healthwatch Sheffield
- Representative of University of Sheffield
- Representative of Sheffield Hallam University

2.2 Citizens or other representatives from the wider health and wellbeing community in Sheffield may be invited to attend the Board to contribute to discussions. The Board may also co-opt members where it will be beneficial to ongoing conversations and related work.

2.3 Broader attendance will be especially encouraged outside of the formal committee meetings, with larger conference events aiming to link Board members as key decision makers in the city with a citizen and service user perspective, and with organisations, individuals and experts in the field who can bring a diverse range of insights into the discussion. Attendance at events should be representative of the city as a whole, as appropriate for the issue at hand, and the Board will ensure that everyone attending these events speaks on the same terms and with the same expectations of being heard.

2.4 Any changes to personnel will be approved through Full Council on an annual basis.

2.5 Where places are or become vacant and are not related to a specified individual, these will be recruited to through an exercise conducted by the Board's Steering Group.

3. Governance

3.1 **Chair:** The Board will be co-chaired by the Chair of the SCC Adult Health & Social Care Policy Committee and the NHS Sheffield Director with responsibility for clinical leadership, with chairing of meetings generally alternating between them.

3-23.2 [These are chosen to ensure chairing of the Board is done with an understanding of the democratic decision-making process, and with clinical primary care experience and expertise in mind. Chairing arrangements will be reviewed whenever the individuals occupying those roles changes in order to maintain this.](#)

3-23.3 **Attendance at meetings and deputies:** In order to maintain consistency it is assumed that Board members will attend all meetings as far as possible. Each member must name 1 deputy, who should be well briefed on the Board's purpose and activities, fulfil the same or similar function in their primary role (as opposed to being from the same organisation), and attend meetings and vote on behalf of the member when they are absent.

3-33.4 **Quorum:** The quorum for a meeting of the Board shall be one quarter of the whole number of the membership (including vacancies).

3-43.5 **Decision-making and voting:** The Board will operate on a consensus basis. Where consensus cannot be achieved the matter will be put to a vote. Decisions will be made by simple majority: the Chair will have the casting vote. All votes shall be taken by a show of hands unless decided otherwise by the Chair.

3-53.6 **Authority of representatives:** It is accepted that some decisions and/or representations will need to be made in accordance with the governance procedures of the organisations represented on the Board: however, representatives should have sufficient authority to speak for their organisations and make decisions within their own delegations.

3-63.7 **Accountability and scrutiny:** As a Council committee, the Board will be formally accountable to Full Council.

3-73.8 **Relationship to other groups:** The Board has formally agreed a protocol with the city's Safeguarding Boards. The Board will seek to develop close relationships with the city's Health and Care Partnership, Sheffield City Council's Policy Committees and any Committee or Sub-Committee of the Council with responsibility for the review and scrutiny of local health services, the NHS South Yorkshire Integrated Care System, and the Sheffield Joint Commissioning Committee, as part of its work to hold the health and wellbeing system to account. It will also develop relationships with other bodies in the city such as the Sheffield City Partnership Board and Sheffield Community Safety Partnership, especially where the agendas of such bodies overlap with the Board's.

4. Meetings, agendas and papers

4.1 The Board will normally meet quarterly in public. There will be no fewer than 2 meetings per financial year, with a maximum of 32 weeks between meetings.

4.2 Dates, venues, agendas and papers for public meetings will be published in advance on the Council's website.

- 4.3 The Chair will agree the agenda for each meeting, supported by the Board's Steering Group.
- 4.4 Agendas and papers will be circulated to all members and be available on the Council's website 7 days in advance of the meeting
- 4.5 Minutes will be circulated to all members, and published on the Council's website as soon as possible after the meeting
- 4.6 It is expected that those who write papers will work collaboratively with others to provide a city-wide perspective on any given issue.
- 4.7 The Board will receive an Annual Report at its March meeting, using this to understand its impact and establish aims for the year ahead.
- 4.8 The Board will also convene regular city conferences with open invites on topics that are relevant to the JHWS.

5. Role of a Health and Wellbeing Board member

- 5.1 All members of the Board, as a statutory committee of the Council, must observe the Council's code of conduct for members and co-opted members. Other responsibilities include:
 - Prioritising their attendance at Board meetings and positively contributing to discussions, reading and digesting any documents and information provided prior to meetings.
 - Playing a strong role in promoting the Board conference events, and identifying relevant people to attend and contribute.
 - Fully and effectively communicating outcomes and key decisions of the Board to their own organisations, acting as ambassadors for the work of the Board, and participating where appropriate in communications/marketing and stakeholder engagement activity to support the objectives of the Board, including working with the media
 - Contributing to the development of the JSNA and JHWS
 - Ensuring that planning and commissioning are in line with the requirements of the JHWS and working to deliver improvements in performance against measures within the public health, NHS and adult social care outcomes frameworks
 - Declaring any conflict of interest, particularly in the event of a vote being required and in relation to the providing of services
 - Acting in a respectful, inclusive and open manner with all colleagues to encourage debate and challenge.
- 5.2 The membership of the Health & Wellbeing Board is constructed to provide a broad range of perspectives on the development of strategy. With this in mind, members are asked to bring the insight, knowledge, perspective and strategic capacity they have as a

consequence of their everyday role, and not act simply as a representative of their organisation, but with the interests of the whole city and its residents at heart.

6. Engagement with the public

6.1 Healthwatch Sheffield is the Board's statutory partner for involving Sheffield people in discussions and decision-making around health and wellbeing in the city. It is expected that the Healthwatch Sheffield representative(s) will clearly ensure Sheffield people's views are included in all Board discussions, with all other Board members expected to contribute in this regard.

6.2 Formal public meetings will be held quarterly, with members of the public invited to ask questions. An answer may take the form of:

- An oral answer
- A written answer to the member of the public, circulated to the Board and placed on the Council's website
- Where the desired information is contained in a publication, a reference to that publication.

The Board's chairs retain the right to restrict the length of time given to answering public questions at any meetings held.

6.3 The Board will work to engage with the public on the issues affecting health and wellbeing in Sheffield through a range of means. This will include conferences, which will:

- Bring in a broader range of voices and more diverse insight into health and wellbeing priorities set out by the Board;
- Provide opportunity for decision makers in the city to come together with people experiencing health inequalities, working towards co-produced solutions; and
- Where possible, provide the opportunity for the Board to get out of its normal meeting settings and into communities.

6.4 The Board will work with Healthwatch Sheffield and voluntary sector organisations to ensure the output from engagement is linked to the Board's Forward Plan, and is fed into and reflected in Board discussions. This work will:

- Provide an avenue for members of the public to impact on the Board's discussions and work;
- Engage the public and/or providers in the development of the Joint Health & Wellbeing Strategy;
- Develop the Board's understanding of local people's and providers' experiences and priorities for health and wellbeing;
- Communicate the work of the Board in shaping health and wellbeing in Sheffield;

- Develop a shared perspective of the ways in which providers can contribute to the Board's delivery.

7. Review

7.1 These Terms of Reference will be reviewed annually.

Article 10 – The Health and Wellbeing Board

10.1 Sheffield Health and Wellbeing Board

The Sheffield Health and Wellbeing Board is established under the Health and Social Care Act 2012 as a statutory committee of Sheffield City Council.

The statutory role of the Board is to encourage, for the purpose of advancing the health and wellbeing of the people in its area, persons who arrange for the provision of any health or social care services in that area to work in an integrated manner.

It must, in particular, provide such advice, assistance or other support as it thinks appropriate for the purpose of encouraging the making of arrangements under section 75 of the National Health Service Act 2006 ([including](#) the Better Care Fund) in connection with the provision of such services.

It may encourage persons who arrange for the provision of any health-related services in its area to work closely with it and may encourage persons who arrange for the provision of any health or social care services in its area and persons who arrange for the provision of any health-related services in its area to work closely together.

10.2 Composition, Role and Functions

The Sheffield Health and Wellbeing Board will have the composition, role and functions as set out in its terms of reference at Part 3 of this Constitution.

Sheffield City Council Petitions Scheme

Introduction

The Council welcomes online and paper petitions and recognises that they are one way in which people can let us know their concerns. Petitions can be organised or signed by anyone who lives, works or studies in Sheffield. More information and guidance is available on the Council's website

[Sign or start a petition \(sheffield.gov.uk\)](https://www.sheffield.gov.uk)

A petition can relate to any issue on which the Council has powers or duties or on which it has shared delivery responsibilities through a partnership. Petitions must state the subject of the petition and what action the petitioners want the Council to take, the contact and address details of the organiser, along with the names, addresses and signatures of people supporting the petition. There must be at least 5 signatures. For the petition to be valid, everyone who signs it will need to provide their name and address.

Petitions can be sent or presented to the Council. All petitions sent or presented to the Council will receive an acknowledgement from the Council within 14 days of receipt. This acknowledgement will set out what we plan to do with the petition.

Petitions may be presented to meetings of the Council, Policy Committees or their Sub-Committees, Regulatory Committees or Area Committees. Petition organisers should contact Democratic Services in advance for advice about which Body is most appropriate. If the topic is on the work programme for a particular Policy Committee then the petition organiser may wish to present the petition at a meeting when the topic is on the agenda, but may choose to attend another meeting (or a meeting of another Policy Committee) or to present the petition at Full Council.

You will need to give advance notice of your petition in writing by 9.00 a.m. two working days prior to by 10.00 a.m. on the day of the meeting and you can either present your petition at the meeting or ask that it be submitted to the meeting on your behalf. If you attend the meeting, you will be able to speak for up to three minutes. Please contact the Democratic Services team by email committee@sheffield.gov.uk

What are the guidelines for submitting a petition?

Petitions submitted to the Council must include:

- A minimum of five signatures, from anyone who either lives, works or studies in Sheffield.
- A clear and concise statement covering the subject of the petition, to include what action the petitioners would like the Council to take.

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- Contact details, including a postal address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition (only the organiser's name will appear on the Council website).
- The name, postal address and signature of any person supporting the petition.

Data Protection

Use of individuals' personal data, including their addresses/email addresses, will be protected under the terms of the General Data Protection Regulation (GDPR) and will be held by us only for the purpose of corresponding in relation to the petition submitted.

By starting or signing a petition, an individual gives explicit consent to the Council to process personal data as part of the Council's Petition Scheme. This means Councillors and Council Officers can respond to the issue(s) raised, publish details about the petition's objectives in public reports and invite the lead petitioner (or representative) to speak at a Committee meeting. This use may include some personal details (eg the speaker's name and address) and the Council may publicly broadcast meetings that include personal statements made by those speaking.

Petitioners have the right to withdraw this consent at any time. However, withdrawing consent does not affect the processing that has occurred before this time.

We advise that for paper petitions, the following wording is included on each page of the petition that will contain signatures:

"Sheffield City Council (the Council) will become the data controller when the petition is deposited with the Council. The details you provide on this form will only be used for the purpose of this petition. Your information may be shared with the petition organiser, Council officers, Councillors or service providers."

E-Petitions

The Council welcomes e-Petitions which are created, signed and submitted through the website. E-Petitions must follow the same guidelines as paper petitions. The petition organiser will need to provide their name, postal address and e-mail address. The e-Petition will also need to include:

- A date for the e-Petition to go live on the website.
- A closing date when the e-Petition will stop collecting signatures. We will host the e-Petition for up to 12 months, but expect that most petitions will be open for signatures for a much shorter period than this.
- The online form is submitted to Democratic Services.
- The Council is required by UK law to ensure that petitions that are published do not contain any defamatory or offensive material. Therefore we will need to review the petition before it is published on our website. Petitions will be reviewed and published during normal office hours. We expect to be able to publish a petition the same day provided that it is submitted by 12.00 noon.
- A petition must be submitted in good faith. It must not include:
 - potentially libellous, false or defamatory statements;

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- information protected by a court order (e.g. the identities of children in custody disputes); or in accordance with any other enactment;
- matters which are subject to appeal processes or legal actions (e.g. planning appeals, enforcement action or other legal actions in court etc.);
- material which is commercially sensitive, confidential or which may cause personal distress or loss;
- the names of individual officials of public bodies; or information where they may be easily identified, in relation to criminal accusations.
- Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be published, but we will contact the petition organiser to explain the reasons so that they may change and resubmit your petition if they wish. If this is not done within 10 working days, a summary of the petition and the reason why it has not been accepted will be published under the ‘rejected petitions’ section of the website, except in cases where this would be inappropriate.

Additional Information:

- The Council accepts no liability for the petitions published on its website and the views expressed in the petitions do not necessarily reflect those of the Council.
- A petition response will be e-mailed to everyone who has signed the e-Petition and also published on our website.

What will the Council do when it receives a petition?

We will send an acknowledgement to the petition organiser within 14 days of receiving the petition. It will let them know what we plan to do with the petition and when they can expect to hear from us again. Details of the petition will also be published in the Council Petitions Log, on our website.

If the Council can do what the petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. If the petition needs more investigation, the acknowledgement will set out the steps we plan to take.

Most petitions go to a public meeting where petitioners can present their petition and Councillors will decide how to respond. Petitions with 5,000 signatures will trigger a public debate at Full Council and those with 2,500 signatures can call for evidence by a Senior Officer at a Policy Committee.

If the petition has enough signatures to trigger a Council debate, or a senior officer giving evidence at a public meeting of one of the Council’s Policy Committees, then the acknowledgement will confirm this and when and where the meeting will take place. If the petition needs more investigation, the acknowledgement will set out the steps we plan to take.

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If the petition applies to a planning or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor), or relates to a matter where there is already an existing right of appeal such as Council Tax banding and non domestic rates, other procedures apply, outside of this Scheme. With specific reference to planning and licensing application petitions, the approach adopted in Sheffield is to permit the receipt of these by the Council or their presentation at Full Council or a Policy Committee, which will then trigger a referral to the Planning and Highways or Licensing Committee, as appropriate. The receipt and recording of the petition and actions to be taken will be administered in the same way, for consistency and in the spirit of the provisions of this Scheme.

We will not take any action on any petition which we consider to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this in our acknowledgement of the petition.

To ensure that people know what we are doing in response to the petitions we receive, the details of all the petitions submitted to us will be published in the Council Petitions Log, on our website except in cases where this would be inappropriate.

How will the Council respond to petitions?

Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- taking the action requested in the petition
- considering the petition at a Council meeting
- holding an enquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- referring the petition for consideration by the relevant Policy Committee or Sub-Committee*
- writing to the petition organiser setting out our views about the request in question

*Policy Committees and their Sub-Committees can take decisions on or make recommendations to Full Council on changes to policy and the provision of Council services.

In addition to these steps, the Council will consider other specific actions it may be able to take on the issues highlighted in a petition. If your petition is about something over which the Council has no direct control (for example the local railway or hospital), we will aim to make representations on behalf of the community to the relevant body. The Council works with a large number of local partners and, where possible, will work with these partners to respond to a petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with Council policy), then we will set out the reasons for this.

If a petition is about something that a different Council is responsible for, we will give consideration to what the best method is for responding to it. It might consist of simply forwarding the petition to the other Council but could involve other steps. In any event, we will always notify the petition organiser of the action we have taken.

Essentially there are three types of petitions:

- “Ordinary” petitions
- Petitions requiring debate
- Petitions to hold senior Council employees to account.

Ordinary Petitions

Ordinary petitions must be signed by at least **five** people. We will acknowledge the petition within 14 days of receiving it and let the petition organiser know what we plan to do with the petition and when they can expect to hear from us again. It will also be published on our website. If the petition needs more investigation, we will set out the steps we plan to take.

In the vast majority of cases, the petition will be submitted to one of the Council’s formal Member meetings where elected Councillors will decide how to respond to the petition. These meetings will be held in public and petitioners are welcome to attend the meeting and observe the proceedings. The petition organiser will be given three minutes to present the petition at the meeting.

A petition can be submitted to the Council, ~~or a~~ Policy Committees or Sub-Committees, Regulatory Committees or Area Committees.

Full Council Debates

If a petition contains **5000** signatures or more, it will trigger a debate by the Full Council, in public, unless it is a petition asking for a senior Council officer to give evidence at a public meeting of one of the Policy Committees. This means that the issue raised in the petition will be discussed at a meeting which all Councillors can attend.

For petitions that trigger a debate at Full Council, we require **seven** working days’ notice to be given prior to a Council meeting to ensure Councillors have adequate preparation time. The Council will endeavour to consider the petition at its next meeting, but due to other Council business, it may not be possible to debate every eligible petition at the next Council meeting, and it is unlikely that any more than two eligible petitions will be debated at any one meeting. Therefore, on occasions, an eligible petition may be debated at the next but one Council meeting.

The petition organiser will be given three minutes to present the petition at the meeting and the petition will then be discussed by Councillors. The Council will decide how to respond to the petition at this meeting. The Council may decide to take the action the petition requests, not to take the action requested for reasons put

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forward in the debate or to commission further investigation into the matter, for example by a relevant Committee.

The petition organiser will receive written confirmation of this decision. The decision will be published on the Council's website.

Officer Evidence

A petition may ask for a senior Council officer to give evidence at a public meeting of one of the Council's Policy Committees and about something for which the officer is responsible as part of their job. For example, your petition may ask a senior Council officer to explain progress on an issue or to explain advice given to Elected Members to enable them to make a particular decision. Petitions which call for evidence from a senior Council employee, and have at least **2500** signatures, will trigger that response.

Senior staff that can be called to give evidence are:

- Chief Executive
- A senior officer who reports directly to the Chief Executive
- ~~Executive Director – Resources~~
- ~~Executive Director – People Services~~
- ~~Executive Director – City Futures~~
- ~~Executive Director – Operational Services~~
- Directors or Heads of Service as considered appropriate by the relevant Policy Committee

You should be aware that the relevant Policy Committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs.

What can I do if I feel my petition has not been dealt with properly?

If you feel that we have not dealt with your petition properly, the petition organiser may:

- Make a complaint under the Council's Complaints Procedure if not satisfied with the way the petition has been administered
- Request that the appropriate Policy Committee review the steps taken in response to the petition if unhappy with the steps proposed or the way they have been taken
- Request that a petition that has not been presented to a Council meeting be considered at such a meeting

It is helpful to everyone, and can improve the prospects for review, if the petition organiser gives a short explanation of the reasons why the Council's response is not considered to be adequate.

Extract From : Sheffield City Council – Constitution (May 2022)
Part 4 – Council Procedure Rules (amended December 2022)

Council Procedure Rule 13

13 Petitions

13.1 The Council recognises that the presentation of petitions is one way in which citizens can express their concerns and priorities to the Council. The Council's Petitions Scheme is at Part 5 of this Constitution. Petitions that can be presented to a meeting of the Council, Policy Committee (which, for the purpose of this Council Procedure Rule, includes any Sub-Committee of a Policy Committee), Regulatory Committee or Area Committee fall into three main types:-

(a) Ordinary Petitions

Comprising at least five signatures from members of the public requesting some form of action. As a courtesy, Democratic Services should be notified of the intention to present a petition at the earliest opportunity and no later than 9.00 a.m. two working days before the day of the meeting. The Council, on a Motion which need not be in writing and which shall be put without discussion, may (i) refer the matterpetition to the appropriate body for consideration or (ii) decide that no further action be taken on the matter. Where the appropriate Policy Committee Chair wishes to respond to the petition at the meeting, his/her speech shall be limited to 5 minutes.

(b) Petitions requiring a Council Debate

A petition containing 5,000 signatures or more will trigger a debate by Full Council. Seven working days' notice submitted to the Head of Democratic Services should be given prior to a Council meeting to ensure Members have adequate preparation time. The Council will endeavour to consider the petition at its next meeting, but due to other Council business it may not be possible to debate every eligible petition at the next Council meeting, and it is unlikely that any more than two eligible petitions will be debated at any one meeting. Therefore, on occasions, an eligible petition may be debated at the next but one Council meeting.

The debate will be conducted and concluded as follows:-

- A 25 minute time limit for the item, with Members able to speak for up to two minutes each, except for the appropriate Policy Committee Chair's initial contribution which shall be for up to five minutes.

- The petition representative will be given 3 minutes to present the petition at the beginning of the debate at the meeting.
- The Lord Mayor will facilitate discussion of the petition by Members, offering the relevant Policy Committee Chair and then the relevant Group Spokespersons the opportunity to make the first and next contributions. Members' contributions will be summarised within the minutes of the meeting in order for the reasons for any subsequent referral to another body to be captured and communicated along with the petition, or for the reasons for the Council subsequently deciding to take no action on the petition to be recorded.
- At the conclusion of the debate, the Lord Mayor will offer a "right of reply" to the representative of the petitioners so that he/she can respond for up to three minutes to any matters raised in the debate. With the consent of the Lord Mayor, the representative may nominate another representative, who is entitled to speak under the Constitution, to provide that reply.
- The Lord Mayor shall then offer a Right of Reply to the relevant Policy Committee Chair who shall respond for up to two minutes and then propose the course of action to be taken in response to the petition. The courses of action available to the Council will be either to:-
 - note and take no action for the reasons put forward in the debate, or
 - take the action requested by the petitioners (if it is within the Council's remit to do so), or
 - refer the ~~matter~~petition to either a Committee or an Executive Director for consideration having regard to the comments made by Members during the course of the debate.
- The Lord Mayor shall seek a seconder for the motion proposed by the relevant Policy Committee Chair, and then enquire whether any Member wishes to propose an alternative course of action. Any motion proposed will need to be seconded.
- If only one motion has been proposed and seconded, the Lord Mayor will call for a vote on that motion, which will either be carried or lost.
- Should multiple motions have been proposed and seconded, the Lord Mayor will outline each motion and then call for a vote on each motion in turn until a motion is carried and an outcome is achieved.

(c) Petitions requesting evidence from an Officer

A petition containing 2,500 signatures may ask that a Senior Officer gives evidence at a public meeting of a Policy Committee about something which falls within that Officer's remit.

- 13.2 Members of the public shall have an opportunity to address the Council or relevant Committee in respect of their petition for which they are the lead petitioner for a maximum of three minutes within the allocated time under Council Procedure Rule 15.1 for Public Question Time and Petitions, with the exception of petitions requiring a debate under Council Procedure Rule 13.1(b) in which a total of 25 minutes will be available for the debate, inclusive of the three minutes for the lead petitioner to present the petition.

OFFICER EMPLOYMENT PROCEDURE RULES

1. Officers

- a) For the purposes of Section 4 of the Local Government and Housing Act 1989 the Head of Paid Service shall be the Chief Executive.
- b) For the purposes of Section 5 of the Local Government and Housing Act 1989 the Monitoring Officer shall be the Director of Legal and Governance.
- c) For the purposes of Section 151 of the Local Government Act 1972 the Officer with responsibility for the administration of the financial affairs of the Council, the ‘Chief Finance Officer’, shall be the Director of Finance and Commercial Services.
- d) Chief Officer for the purpose of these Officer Employment Procedure Rules means the Head of Paid Service, Chief Finance Officer, any Executive Director, any Officer who reports **directly** to the Chief Executive, or any Statutory Chief Officer as defined in section 2 (6) (a), (c) or (d) of the Local Government and Housing Act 1989:
 - Director of Children’s Services appointed under section 18 of the Children Act 2004, who shall be the [Director of Children’s Services](#)~~Executive Director of People~~
 - Director of Adult Social Services appointed under section 6 of the Local Authority Social Services Act 1970, who shall be the Director of Adult Health and Social Care
 - Director of Public Health appointed under section 73A National Health Service Act 2006 (local authorities and NHS), who shall be the Director of Public Health.

[A](#)nd any Officer who reports **directly** to any of the Officers listed above for all or most of their duties, but not any person whose duties are solely secretarial or clerical.

2. Recruitment and Appointment

2.1 Where the Council recruits officers, the Council will:

- (a) Draw up a job description, person and health specification which includes:
 - (i) The duties of the officer concerned;
 - (ii) Any skills, knowledge and attainments to be sought in the person to be appointed; and
 - (iii) The identification of any job duties which have a potential to cause harm to the employee's health.
- (b) Make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it;
- (c) Make arrangements for a copy of the statement mentioned in paragraph (a) to be sent to any person on request; and
- (d) Where no qualified person has applied, the Council shall review (a) and (b) above and where required shall make further arrangements for advertisement.

2.2 Declarations

- (a) The Council will draw up a statement requiring any candidate for appointment as an officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing Councillor or officer of the Council, or of the partner of such persons.
- (b) No candidate so related to a Councillor or an officer will be appointed without the authority of the relevant [Chief Officer](#) or an officer nominated by him/her.

2.3 Seeking support for appointment

- (a) The Council will disqualify any applicant who directly or indirectly seeks the support of any Councillor for any appointment with the
-

Council. The content of this paragraph will be included in any recruitment information. No Councillor will seek support for any person for any appointment with the Council; and

- (b) Councillors may provide a reference for a candidate if they are not directly involved in the recruitment process. However, any attempt by a Councillor to influence the process in the favour of the applicant will result in the applicant's disqualification.

2.4 Where a post has been advertised, the Council shall:

- (a) Interview all qualified applicants for the post, or
- (b) Select a shortlist of such qualified applicants and interview those included on the shortlist.

2.5 Where the Council is seeking to reduce the number of employees, the Council may seek to mitigate redundancy through internal recruitment processes.

3. Recruitment of Head of Paid Service and Chief Officers

3.1 Where the Council proposes to appoint a Chief Officer, [and it is not proposed that the appointment be made exclusively from among the Council's existing officers,](#) the Council will — follow Procedure Rule 2 above.

4. Appointment of Head of Paid Service

4.1 The Full Council will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by ~~a committee or sub-committee of the Council's~~ [the Senior Officer Employment Committee or a sub-committee thereof \("the Committee"\)](#). Full Council will approve the appointment before an offer of appointment is made to that person.

5. Appointment of Chief Officers

- (a) ~~The A C~~ [committee or sub-committee of the Council](#) will appoint Chief Officers.
-

- (b) After the offer of appointment has been accepted, the appointment will be reported to the next available meeting of the Council for information.
- (c) Full Council ~~mustis to~~ approve any salary package for any post (not including schools) that is in excess of £100,000 and not within the approved Pay Policy Statement, before an offer of appointment is made.

6. Appointment of Director of Public Health

The Council is to act jointly with the Secretary of State for Health and Social Care when appointing a Director of Public Health. The Council is to follow its established Officer Employment Procedure [Rules](#), as set out here, and is also to:

- (a) Involve the UK Health Security Agency on behalf of the Secretary of State for Health and Social Care in all stages of the recruitment and appointment process and follow the guidance issued by the Secretary of State on appointing Directors of Public Health;
- (b) Engage with the Faculty of Public Health on the draft job description, person specification and advert to ensure it covers the statutory responsibilities of this role and necessary areas of professional and technical competence;
- (c) Ensure all candidates meet the statutory requirements for appropriate regulation and registration; and
- (d) Organise the Appointment Committee to include:
- Members of the Committee at Procedure Rule 5 above
 - Chief Executive or his/her nominated deputy
 - UK Health Security Agency Regional Director or another senior professionally qualified member of Public Health Committee acting on his/her behalf
 - External professional assessor appointed after consultation with the Faculty of Public Health
 - Senior NHS representation.

7. Other Appointments

7.1 Officers below Chief Officer

Appointments of officers below Chief Officer (other than Assistants to Political Groups) are the responsibility of the Head of Paid Service, or his/her nominee, and may not be made by Councillors.

7.2 Appointment of Consultants in Public Health

The Council is to be supported by the UK Health Security Agency and follow the statutory guidance on appointing Consultants in Public Health and is to:

- (a) Incorporate Faculty of Public Health role template into the job description and person specification;
- (b) Ensure all candidates are appropriately qualified and formally regulated; and
- (c) Consider who is to be involved in the appointment process, having regard to the list provided in the statutory guidance.

7.3 Assistants to Political Groups

- (a) The Council can create up to three assistants for political groups, subject to certain qualifying criteria as defined in Section 9 of the Local Government and Housing Act 1989.
- (b) The Council can only allocate one Political Assistant post to each of the qualifying groups.
- (c) The Council shall only make an appointment to any Political Assistant post once it has allocated a Political Assistant to each of the qualifying groups.
- (d) Appointment of Political Assistants shall be an Officer Responsibility. The selection process may include members of the relevant Political Group.
- (e) The Chair of the recruitment process shall be an Officer and the final recruitment decision shall be an Officer Responsibility, i.e. it is a matter for the Council as employer, under Section 112 of the

Local Government Act 1972, to decide the terms on which the Political Assistant is employed.

- (f) The Political Assistant Post is a fixed term contract which must end at the first Annual Council meeting after the person has been in post for 3 years, as set out in the HR Protocol for Political Assistants held by the Director of Human Resources and Customer Services.

8. Disciplinary Action and Dismissal of Certain Officers: Head of Paid Service, Monitoring Officer and Chief Finance Officer

[8.1 Throughout this process the Committee will seek advice from the Director of Human Resources and Customer Services regarding guidance and procedures issued by the Joint Negotiating Committee \(JNC\) for Local Authority Chief Executives.](#)

8.18.2 Suspension – The Head of Paid Service, Monitoring Officer and Chief Finance Officer may be suspended [by the Committee](#) whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and last no longer than two months [without review](#).

8.28.3 Investigation – ~~The Committee~~ ~~The Panel~~ will be established as set out in Appendix A of these procedure rules and will be responsible for advising the Council on Dismissal. ~~The Panel~~ will:

- [Consider whether the alleged misconduct requires investigation and, if so, Commission an independent Investigator person](#) to carry out [such](#) an investigation ~~of the alleged misconduct~~;
- Hear the evidence from the relevant [Officer](#);
- Consider the [report and](#) conclusions of the investigation;
- Decide ~~on whether dismissal is an~~ appropriate [disciplinary](#) action.

8.4 Outcome – The Committee may:

- [Take no further action](#);
- [Recommend informal resolution or other appropriate procedure](#);

- [Refer back to the Independent Investigator for further investigation and report;](#)
- [Take disciplinary action short of dismissal;](#)
- [Propose dismissal and refer to the Panel for review.](#)

8.38.5 [The Panel will be established as set out in Appendix A of these procedure rules and will be responsible for advising the Council on dismissal.](#) If the Panel considers dismissal to be the appropriate action they will:

- Formulate advice, views or recommendations;
- Present a report to Council, incorporating:
 - any advice, views or recommendations of the Panel;
 - the conclusions of any investigation into the proposed dismissal;
 - any representations from the relevant officer.

8.48.6 The Council will make the [final](#) decision on the dismissal, considering the above. The Panel's recommendations are **not binding** on the Council.

8.58.7 If the Panel [does](#) not consider dismissal to be appropriate [it will set out a clear rationale for this opinion in its report and, the Panel will](#) refer the matter [back](#) to the ~~Senior Officer Employment~~ Committee for a decision on any other disciplinary action.

9. Disciplinary Action and Dismissal of other Chief Officers

9.1 [Throughout this process the Committee will seek advice from the Director of Human Resources and Customer Services regarding guidance and procedures issued by the Joint Negotiating Committee \(JNC\) for Chief Officers of Local Authorities.](#)

9.19.2 **Suspension** – Chief Officers may be suspended whilst an investigation takes place.

~~**9.2** **Disciplinary Action and Dismissal** – The Senior Officer Employment Committee will take into account the recommendations of the report made by an Investigator appointed by the Committee and will make the~~

~~decision to dismiss Chief Officers (except for the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer).~~

9.3 Investigation – The Committee will consider whether the alleged misconduct requires investigation and, if so, convene a Disciplinary Hearing to investigate the matter. If the Committee considers it appropriate it may commission an Independent Investigator to investigate the alleged misconduct and report back to the Committee.

9.4 Outcome – The Committee will take into account the conclusions of the investigation and may:

- Take no further action;
- Recommend informal resolution or other appropriate procedure;
- Refer back to the Independent Investigator for further investigation and report;
- Take disciplinary action short of dismissal;
- Make the decision to dismiss the Officer.

9.39.5 Appeals against dismissal of these Officers will be heard by the members of the Senior Officer Employment Committee who were not involved in the original decision.

9.49.6 No decision to dismiss the Director of Public Health will be taken unless the Secretary of State for Health and Social Care (or the UK Health Security Agency on his behalf) has been consulted;

~~9.5 That Committee will take disciplinary action against any Chief Officer, including the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer.~~

10. Disciplinary Action and Dismissal of other Officers

(a) **Councillors will not** be involved in the disciplinary action against any officer below Chief Officers, except where such involvement is necessary for any investigation or inquiry into alleged misconduct though the Council's disciplinary, capability and related procedures, as adopted from time to time, may allow a right of appeal to members in respect of disciplinary action.

- (b) **Appeal against Dismissal** for disciplinary, capability or other substantial reasons shall be to the Appeals and Collective Disputes Committee, which shall comprise of three Members who have ~~been accredited by~~ attending appropriate training sessions.
- (c) **Appeals against dismissal by reason of redundancy** shall be to a panel of authorised Chief Officers.

Appendix A: The Panel

- 1.0 A statutory officer ([Head of Paid Service, Monitoring Officer or Chief Finance Officer](#)) cannot be dismissed unless these provisions relating to the Panel are complied with.
- 2.0 The Panel is appointed (under section 102(4) of the Local Government Act 1972) as an advisory committee of the Council [for the purposes of advising the Council on matters relating to the dismissal of certain officers of the Council](#), ~~and shall be a sub-committee of the Senior Officer Employment Committee. The Panel is subject to all the legal requirements for committees, including the proportionality rules.~~
- 3.0 The Council must invite independent persons (who have been appointed by this or another authority under section 28(7) of the Localism Act 2011) to be considered for appointment to the Panel.
- 4.0 The Council must appoint to the Panel at least two independent persons who have accepted an invitation, in the following priority order:
 - an independent person who has been appointed by this authority and who is a local government elector;
 - any other independent person who has been appointed by this authority;
 - an independent person who has been appointed by another authority or authorities.
- 5.0 The remuneration, allowances or fees paid to an independent person appointed to the Panel must be no more than the level of the remuneration, allowances or fees payable to them for their role as an Independent Person for the Standards regime.
- 6.0 The Panel must be appointed at least 20 working days before a meeting of the authority to consider whether or not to approve a proposal to dismiss a statutory officer.
- 7.0 A decision to dismiss **must** be taken by Full Council. In making the decision Council **must** take into account the factors as specified:
 - a) any advice, views or recommendations of the Panel;
 - b) the conclusions of any investigation into the proposed dismissal; and
 - c) any representations from the relevant officer.

The Panel's recommendations are **not binding** on the Council

Sheffield City Council

Officers’ Code of Conduct, ~~including appendices~~

Publication Date: September 2019

(Minor amendment: February 2023)

Author: HR Service



Officers’ Code of Conduct

This Code of Conduct applies to all non-school based employees. The Code of Conduct adopted by the relevant Governing Body will apply to employees within schools.

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1.0 INTRODUCTION

About this Code of Conduct

1.1 In the Code of Conduct, when we use the word “you” we mean a Council employee, casual worker, agency staff, contractors, volunteers, and consultants and self-employed people engaged in work for the Council.

When we use the words “we” or “us”, we mean the Council.

- 1.2 This Code of Conduct for Employees is based on key principles. These principles are developed from the work of the Nolan Committee for standards in public life.
- 1.3 In the Code of Conduct you will find the minimum standards that all Council employees must keep to. These standards also apply to casual workers, agency staff, contractors, volunteers, and consultants and self-employed people engaged in work for the Council.
- 1.4 If you are an employee, this Code of Conduct is part of your terms and conditions of employment. Some parts of the Council may have their own Codes in addition to this one.
- 1.5 If your service area has its own Code, you should keep to that Code as well as this Code. You also need to follow any security policies or Codes of Practice that the council has.
- 1.6 We believe that you are responsible for your own actions. That means it is your responsibility to read the Code of Conduct [and the Policies referred to in it and listed at Section 20 of this Code of Conduct](#), and any other Code which may apply to your job.
- 1.7 If there are any parts of this Code, or other Code, that you are unsure of or do not understand, you must ask your manager or someone in HR, to help you. This will ensure you are able to follow the Code.
- 1.8 You can find explanations for some of the words and phrases in this Code in the [Glossary section](#), on page [186](#) of this document.
- 1.9 This Code is not a full list of what you are expected to do or not to do. There may be other things that the Council will look at as misconduct, or gross misconduct. If there is anything that you are unsure about, please ask your manager or HR Adviser.
- 1.10 People who live in Sheffield expect you to have high standards of behaviour. If someone has suspicions that you could be influenced unfairly, this could damage confidence in the Council. You must not put yourself in a situation where anyone might think that you are dishonest.
- 1.11 The Council has the right to monitor employees. This includes surveillance. If the Council monitors employees in this way, it will keep within the laws that deal with monitoring.
-

1.12 You may have disciplinary action taken against you if you:

- Do not keep to this Code of Conduct.
- Commit a criminal offence.
- Do something we would classify as misconduct.
- Do something that may bring the Council into disrepute, whether during working hours or outside of them.
- Do not properly perform your duties as an employee.

Disciplinary action includes the possibility of being dismissed without notice being given.

1.13 This Code is in accordance with the rules in the Human Rights Act 1998.

2.0 PUBLIC DUTY, PRIVATE INTEREST, FRAUD AND THEFT

(i) *General*

2.1 Your duty as an employee and any interests outside your job must not conflict. If there is anything you are involved in outside of work which might affect your job, you must declare this to your manager. Read Declaration of Interests Policy ~~-(DOI)-~~ [Appendix A](#)

2.2 You must always do your job safely. To make sure you do not put the public, other employees or yourself at risk, you must follow Corporate and Directorate Health and Safety policies. You must also follow safe systems of work and any Codes of ~~P~~practice that apply to your job.

2.3 If you are a member of an organisation that:

- Is not open to the public
- Requires formal membership and an oath of allegiance
- Has any secrecy about its rules, the process of becoming a member, or conduct of members.

~~2.4~~ 2.4 You must declare this in writing to your Head of Service or Director. See Declaration of Interests Policy ~~Appendix A~~.

~~2.45~~ 2.45 The Council has responsibility for the administration of public money. We emphasise to the public and to employees that we think honesty and that having proper control of finances is very important.

~~2.56~~ 2.56 The Council is committed to the fight against fraud, whether an employee, a contractor, or a member of the public has committed the fraud.

- 2.67 You must not use the fact that you are a Council employee to obtain, gain directly or indirectly - for yourself, any business associates, your friends or your family. This is covered in the Council’s Anti-Bribery Policy ~~in Appendix B.~~
- 2.78 As the Council is committed to the prevention and detection of fraud, we have ~~an~~ policy statement on Anti-Fraud and Corruption Policy Statement and Framework. ~~This is shown in Appendix B.~~
- 2.89 We also have a Gifts and Hospitality Policy and Procedure ~~Code of Practice~~. ~~This is shown in Appendix C.~~
- 2.910 In addition to these two policies, we have a Whistleblowing Policy and Procedure, so that you can report any fraud or corruption more easily. ~~This is shown in Appendix D.~~
- 2.104 If you are using public funds, you must use them responsibly, and you must keep within the law. You must make sure that we use our resources sensibly and legally, and that the community gets value for money.
- 2.112 You must keep to the rules within the Council’s Standing Orders and Financial Framework. The Standing Orders and Financial Regulations are part of the Council’s Constitution, available on the Intranet or Council’s website ~~Internet site~~.
- 2.123 If you:
- Commit fraud against the Council, or any person or organisation, or try to.
 - Steal from the Council, or any person or organisation, or try to.
- 2.14 ~~t~~ This will be considered misconduct and may be considered gross misconduct. This includes deliberately putting false information on time sheets, subsistence claims or mileage claims.
- 2.135 If you have concerns that someone is stealing, committing fraud or behaving in a way that might be unethical, you must report this to your manager, or someone named in the Whistleblowing Policy and Procedure. ~~This procedure is shown in Appendix D.~~
- 2.146 We know that it is not always easy to report on the behaviour of other people. We will give you full support if you raise concerns. If you wish to remain anonymous, we will make every effort to respect this.
- 2.157 We know there are two sides to a story, and we will ensure hearings are fair.
- 2.168 Sometimes allegations will turn out to be wrong. If you deliberately make false or malicious allegations, this will be treated as misconduct.

(ii) Financial Inducements, Gifts and Hospitality

- 2.179 You must never accept a financial payment, bribes or inducement from any individual, body, or organisation. For example: payments or inducements from contractors, developers, or consultants. This is covered in the Council’s Anti-Bribery Policy, ~~in~~ **Appendix B.**
- 2.1820 To take financial payments or inducements is against the law. It is an offence under Section 117 of the Local Government Act 1972.
- 2.1924 You must refuse any gift or hospitality offered to you or your family that others may think could influence you.
- 2.202 You may accept gifts of small value such as pens, diaries and calendars.
- 2.213 For further guidance on gifts, hospitality and inducements, you can read the Gifts and Hospitality Policy and ~~Procedure Code of Practice. This is shown in~~ **Appendix C.**
- 2.224 Any gifts or hospitality you have been offered, whether you have turned them down or accepted them, must be recorded. If you are unsure of the process of recording goods and hospitality in your service area, seek advice from your manager.
- (iii) Employee Declarations of Financial and other interests**
- 2.235 You have a legal duty to declare any financial or other interest in an existing or proposed contract. See Declaration of Interests Policy ~~(DOI)~~ **Appendix A.**
- 2.246 If the Council gives support in the community, through financial help or other help, you must make sure that any advice you give is fair and balanced. You must make sure that there is no conflict of interest.
- 2.257 You are free to use all Council services. If you do so, you will not be treated more or less fairly because you work for the Council.
- 2.268 Members of the public expect you to be fair and treat people equally, no matter who you are delivering services to.
- 2.279 You must make sure you don’t do anything in your job that might make people think you are being unfair or biased.
- 2.2830 You must not try and obtain services in a different way to the public because you work for the Council. This includes putting pressure on colleagues to get services.
- 2.2934 If you think there might be a conflict of interest, you must look at the Declarations of Interest Policy, ~~(DOI)~~, **Appendix A.** If you are not sure, you should ask your manager to help you.
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- 2.30~~2~~ The Monitoring Officer will review any declarations that have been made every year. If the Monitoring Officer needs to make declarations, the Chief Executive will review them every year.
- 2.31~~3~~ The Director of Human Resources and Customer Services is responsible for making sure all the Employment Policies, Practices and Procedures that the Council has are kept to.
- 2.32~~4~~ Every Head of Service, Director and Executive Director is responsible for monitoring their employees activities, making sure they have kept to this Code and any other Codes and made declarations when they need to. Any monitoring will comply with all relevant laws.

3.0 CONTRACTORS

- 3.1 As part of your job, you may be required to supervise or engage contractors or have an official relationship with them. If you have any work relationship with contractors, or potential contractors, you must tell your Head of Service or Director in writing if you have ever had a private or domestic relationship with the contractors.
- 3.2 The orders we place and contracts we give should be given fairly. This means that we must award orders and contracts based on merit and fair competition against other tenders. You must not show favouritism in doing this. For example, if your friends, partners or relatives run a business, you could not award them a contract unfairly because of this. You must not discriminate against anyone unfairly if you deal with tenders, evaluation or awarding contracts.

4.0 RELATIONSHIPS WITH PROSPECTIVE AND CURRENT CONTRACTORS

- 4.1 If you are involved in the process of tendering and dealing with contractors you should understand that being a client and being a contractor are two separate roles. If you have a client or contractor responsibility, you need to be open and accountable for your actions.
- 4.2 If you work in a contractor or client unit you must be fair and impartial when you deal with customers, suppliers and any other contractors or subcontractors.
- 4.3 If you have access to any information about contracts or costs for contracts that is not public, you must not disclose that information to anyone unauthorised.
- 4.4 You must make sure that you don’t show special favour to anyone who works for us or used to work for us when you award contracts. You must make sure you do not show special favour to anyone who is a partner, associate or relative of an employee when you award contracts.
- 4.5 If you are thinking about a ‘management buyout’, you must inform the Chief Executive as soon as you definitely intend to do it. You must also inform your Executive Director and

Head of Service or Director. You must withdraw from doing any work for us that includes preparation, tendering, evaluation, and awarding contracts or orders.

- 4.6 If Competitive tendering is being carried out, and you are involved in the process, you must let your Head of Service or Director know when you are a member of an organisation that is interested in tendering. You must also let your Head of Service or Director know if you have affiliation to an organisation that is interested in tendering.

5.0 INFORMATION GOVERNANCE, SECURITY AND SOCIAL NETWORKING

- 5.1 You are responsible for the information you handle for or on behalf of the Council and must ensure it is safe from unauthorised access, use, alteration, disclosure or deletion.
- 5.2 You must comply with the Council’s information policies and take the time to read and understand the Information Governance and Security Policy, ICT Acceptable Usage Policy and Data Protection Policy, ~~see Appendix E, F and G~~. If you are unsure about these policies, you should speak to your manager in one to one discussions /supervision’. The Council also has Information Management Officers who can help.
- 5.3 You are personally responsible for content that you publish on-line and must follow the Social Networking Policy, ~~Appendix H~~.
- 5.4 You must take time to read the Social Networking Policy and understand your responsibilities and behaviours expected, when using social networking in a personal or work capacity. Ask you manager if you are unsure about the Social Networking Policy and Guidance.
- 5.5 The City Council records the use of some electronic communication use in accordance with the law.
- 5.6 Failure to comply with Council policy and / or the misuse any City Council information or resources could result in disciplinary action.

6.0 USE OF COUNCIL SYSTEMS, PROPERTY AND FACILITIES

- 6.1 Anything that belongs to the Council, including:
- Telephones - including mobile phones, handsets, BlackBerry, smartphones
 - Computers - including laptops, tablets, i-pads
 - IT equipment – including monitors, cameras, memory sticks, hard drives
 - Stationery
 - Offices
 - Car parks
 - Vehicles
 - Facilities

can only be used for Council business unless permission is given by management.

- 6.2 If, with your managers’ permission, you use a Council telephone or mobile telephone to make private calls or text messages, or send private faxes using a Council fax machine, you must pay for this through the approved systems in place. If you are unsure about how to pay for calls, speak to your manager.
- 6.3 The Council has systems in place that log telephone, email and Internet usage. These systems may be used to identify any usage for private purposes. We may monitor any communications using Council systems. If we monitor your use of Council resources, we will do it within the law and Council policy.
- 6.4 You must keep to any Council system security measures.

7.0 OTHER EMPLOYMENT

- 7.1 If you do have any other employment whilst you are working for the Council, the work you do must not conflict with the interests of the Council or bring it into disrepute. You must only do other work outside of your working hours with the Council. You need formal prior permission of your manager to do any work outside your role with the Council. See [Appendix A: Declaration of Interests Policy](#).
- 7.2 If you do any work that is damaging to the interests or reputation of the Council, we may take disciplinary action against you, even if you have declared this work to your manager.
- 7.3 If you are a:
- School Governor
 - Councillor for another Local Authority
 - Member of a Voluntary Reserve Forces - Reservists and Adult Instructor of Cadets
 - Justice of the Peace
 - Member of an Employment Tribunal

These roles do not count as other employment. You should still make your manager aware of these duties and ask for any time off you need in a reasonable and timely manner. Unpaid voluntary work in the Community is not classed as other employment, but you still need to declare it to your manager, as there may be a conflict of interest with your Council job.

- 7.5 You can find further guidance on receiving payment or fees for other work in [the document “Other Employment Related Activities – Fees”](#). ~~Appendix F.~~

8.0 DISCLOSURE OF INFORMATION, CONFIDENTIALITY AND REFERENCES

- 8.1 You should be fair and open when you deal with others. You should make sure that elected members and members of the public have access to information they need
-

unless there is a good reason not to allow this, according to the Freedom of Information Act 2000.

- 8.2 You must act in accordance with the law when handling personal and other information. You must take special care when handling personal and confidential information, and never use it inappropriately. You may be prosecuted personally under the Data Protection Act 2018, so it is important you know what your responsibilities are. Please read the Council’s Data Protection Policy ~~at Appendix F~~. If you are unsure about this, consult your manager. The Council also has Information Management Officers who can help.
- 8.3 You must not disclose any confidential, personal or financial information about an employee to an unauthorised person. You must not disclose any personal or financial information about an employee to any external agency without their approval. If you are not sure who is an authorised person, you should consult the Director of Human Resources and Customer Services.
- 8.4 If you are asked for personal information for a reference, for example for a job or mortgage application, you may provide information only after you confirm the identity of the enquirer. To do this, you can reply in writing to the enquirer, or call them back to make sure they are who they say they are.
- 8.5 If the request is for a reference for a colleague or ex-employee, only the employee’s line manager can provide an employment reference. Any employee may give a reference in a personal capacity. If you misrepresent the Council, this will be treated as misconduct.
- 8.6 You must not disclose confidential information to a third party. This includes information relating to:
- Competitive tendering or tendering for work.
 - Exempt items under Schedule 12A of the Local Government Act 1972
 - An employee, elected member or service user.
- 8.7 You must not use any information that you get in the course of your employment for personal gain, or give it to anyone else who may use it in this way.
- 8.8 If in the course of your job, you deal with someone you’re related to, or have a close relationship with, declare it to your manager. You must be fair and act in a professional way.
- 8.9 Inappropriate disclosure of confidential information can be considered misconduct, and may be considered gross misconduct which can lead to dismissal.
- 9.0 COMMUNICATIONS WITH THE MEDIA**
- 9.1 All contact with the media that is about Council activities is handled by the Communications ~~S~~service, together with Heads of Service, Directors and Executive
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Directors. If you have an idea for a positive story about something the Council is doing, or if a journalist approaches you, you must contact the Communications Service to get approval before you give any information. This includes giving information verbally, through e-mail or in writing.

- 9.2 If you are writing something that will be published, and it doesn’t talk about the Council but does relate to your job, you should tell your Head of Service or Director before it is published. An example of this might be an article in a professional journal.

10.0 POLITICAL NEUTRALITY

- 10.1 You must not allow your personal or political opinions to interfere with your work. Some posts are “politically restricted”. If this applies to you, you should already have been told about the restrictions separately.
- 10.2 More information on this is available in [the Politically Restricted Posts \(PoRP\) Policy, at the Appendix to this Code of Conduct-Appendix I](#). If you need any more advice or information, ask your manager or HR Adviser.
- 10.3 You work to all elected members and must ensure their rights are respected. You must not be biased in dealing with members of one political group rather than another.
- 10.4 If your job requires you to advise political groups, you must make sure you take a neutral stance and point of view.
- 10.5 If you have contact with an elected member, whether work related or of a personal nature, you must keep to the Protocol for Member/Officer Relations [in Part 5 of the Council’s Constitution](#).
- 10.6 If you are on Council business, you must not wear anything that shows you are in favour of or against a political party or a pressure group. You may not display any items showing political affiliation or opposition on your vehicle, or items like tools or other equipment.

11.0 THE LOCAL COMMUNITY AND SERVICE USERS

- 11.1 You must remember that you have a responsibility to people in Sheffield. You must make sure that you deliver services politely, efficiently and fairly to everyone in the community.
- 11.2 You should be as open as possible about what you do, and the work of the Council.
- 11.3 You must not do anything that might affect confidence in the Council.
- 11.4 You should make sure that you keep to the law and any other guidance.
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- 11.5 We will not accept it if any employee physically or emotionally abuses a service user, member of the public or other employee. This includes any harassment, discrimination, victimisation or bullying.
- 11.6 We have an Equality, ~~and~~ Diversity [and Inclusion](#) Policy. You must keep to this policy at all times.
- ~~11.7~~ If you ~~do not act in this way~~ it may be decided that is misconduct or gross misconduct, which can result in disciplinary action including dismissal.
- 11.~~7~~8 When you work with young people or vulnerable adults you are in a position of trust. If you abuse that trust, it will be regarded as potential gross misconduct.
- 11.~~8~~9 Any sexual misconduct or assault will be regarded as potential gross misconduct.
- 11.~~9~~10 If you do not follow any policies or procedures meant to keep vulnerable service users or others safe, this will be regarded as potential gross misconduct.
- 11.~~10~~4 Any act of gross misconduct may lead to disciplinary action and the possibility of dismissal without notice.
- 11.~~11~~2 If you work with young people or vulnerable adults, you must read any relevant Codes of practice as well as this Code, and keep to them. You must keep to any relevant laws, such as the Children Act 1989 and the Child Protection and Adult Abuse Protection Procedures.
- 11.~~12~~3 If you see any abusive behaviour, you must report it to your line manager, or use the Whistleblowing ~~P~~policy ~~(see Appendix D)~~ to report it.

12.0 RECRUITMENT AND OTHER EMPLOYMENT MATTERS

- 12.1 If you are involved in recruitment, you must take care not to discriminate against anyone, or in favour of anyone. You must keep to the Recruitment and Selection Code of Practice in full.
- 12.2 To make sure you are not acting unfairly, you must not be involved in any selection and appointment (for example, interviewing someone) when you are related to an applicant. You must not be involved in selection or appointment where you have a close relationship with an applicant- personal or business.
- 12.3 If you think there might be a conflict of interest, you must inform your manager or HR Adviser.
- 12.4 Decisions that you make at work should be fair and unbiased. You must not be involved with decisions to do with discipline, promotion, or pay for anyone who is related to you, or

someone you have a close relationship with. This includes personal relationships and business relationships.

- 12.5 If there are any reasons why 12.1-12.4 should not be followed, or you need help and advice with what to do next, you should contact the Director of Human Resources and Customer Services.

13.0 EQUALITIES

- 13.1 You must at all times make sure you keep to the Council’s policies on equality, diversity and inclusion including behaving and working in a way which eliminates discrimination, harassment and victimisation, advances equality of opportunity and fosters good relations. See Dignity and Respect at Work Policy. ~~Appendix K~~
- 13.2 All employees, customers, elected members, partners, trade union representatives, and members of the public must be treated in a way that creates mutual respect. You should promote equality, diversity and inclusion by providing an environment and services free from harassment, discrimination, victimisation and bullying and by treating people with respect, regardless of their age, disability, race, religion/ belief, sex, sexual orientation or marriage/civil partnership.
- 13.3 At all times you must create an environment that, promotes fairness, equality, diversity and inclusion, promotes dignity and respect for all, recognises and values individual differences and the contributions of all and actively prevents and opposes intimidation, discrimination, harassment, bullying or victimisation.
- 13.4 The Equality Act 2010 provides the legal framework for the Council in relation to equality, diversity and inclusion.
- 13.5 Breaching equality policies and the law may be treated as misconduct, up to and including gross misconduct, which carries the possible penalty of dismissal without notice.

14.0 DRESS AND PERSONAL APPEARANCE

- 14.1 When you work for the Council, you are a representative of your service, and of the Council. You must dress in a way that is appropriate, or required, for your workplace and the work you are doing. You must be clean and tidy and make sure you have good personal hygiene.
- 14.2 If you are provided with clothing for uniform or health and safety reasons, you must wear it. This includes your name badge and other identity badges where provided.

15.0 HEALTH AND SAFETY

15.1 You have a responsibility to work safely and make sure your working environment is healthy and safe. You are required to keep to Corporate Health and Safety Policies. You are also required to follow any policy, regulations or Codes of Practice on Health and Safety that apply to your Portfolio or area of work.

15.2 You must keep to any relevant Health and Safety laws.

16.0 CRIMINAL CONVICTIONS/ BARRING

16.1 Before you started working for us, you must have told us about any unspent criminal and unprotected spent convictions and cautions. If you have more than one conviction or caution the rules of declaration apply to each individually, rather than all having to be automatically disclosed

If you applied for a role which involves working with children and vulnerable adults and your job is covered by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended by the 2013 and 2020 Amendment Orders you must have told us about all convictions, formal cautions, warnings, reprimands, binding over or other orders, pending prosecutions or criminal investigations that are not ‘protected’ as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended by the 2013 and 2020 Amendment Orders before you started working for us.

For information on which convictions are protected visit www.gov.uk/dbs and <http://hub.unlock.org.uk/knowledgebase/filtering-cautions-convictions/>.

If you do not have internet access or do not understand what this means to you please discuss this with your line manager.

You must tell us about :

- All unspent convictions
- Cautions relating to [specified offences](#) as listed by Government
- Cautions given less than 6 years ago (where individual over 18 at the time of caution)
- Convictions that resulted in a custodial sentence (regardless of whether served)
- Convictions given less than 11 years ago (where individual over 18 at the time of conviction)
- Similar offences committed overseas and in other legal jurisdictions

16.2 If you are required, under the Act, to provide us with your Disclosure and Barring Service (DBS) Certificate, we will ask you to:-

- Complete a DBS Application Form
- Or give written permission for us to check your status on-line
- Or give permission for us to view your personal file of a previous/other role within the Council to check the outcome from a recent Enhanced DBS check.

You must bring in your DBS Certificate to show and discuss with us, when required

- 16.3 If you have been barred from working with children and/or vulnerable adults and you seek employment to do so, this is a criminal activity and against the law and you will be dismissed without notice and immediately reported to the Police Authority.
- 16.4 If your work involves driving, you must tell your manager about any driving offences, or pending driving offences.
- 16.5 If you use your own vehicle for Council Business and carry passengers, you must also tell your manager about any driving offences or pending driving offences.
- 16.6 When employed by us, you must tell your manager, if you have any criminal proceedings pending against you, if you are bound over, receive a conviction, formal caution, reprimand or warning.
- 16.7 Once employed by us, you must tell your manager immediately, if you know that you are on, or will appear on, one or both of the DBS barred lists.
- 16.8 If you do not tell us about these convictions, formal cautions, warnings, reprimands, binding over or other orders, pending prosecutions or criminal investigations, this may be treated as possible gross misconduct and might lead to disciplinary action – including the possibility of dismissal without notice.
- 16.9 If you work with young people or vulnerable adults and you believe that you are or might be thought of as a risk to these groups it is extremely important that you seek advice from your manager. If you do not disclose this, this may be treated as possible gross misconduct and might lead to disciplinary action – including the possibility of dismissal without notice.
- 16.10 If you work in a childcare role, as part of early or later years childcare provisions, or are directly involved in the line management of such provision, you must not be disqualified from working in such provision. Certain cautions, convictions, care orders may mean that you are automatically disqualified from such work.
- 16.11 You must complete a childcare disqualification declaration in relation to yourself and discuss with us when required.
- 16.12 You must tell your manager immediately, if you receive any convictions, cautions or other orders that may lead to your disqualification under the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018.

17.0 ALCOHOL, DRUGS AND SUBSTANCES

- 17.1 While you are at work, you must be in a condition to do your job safely.
-

- 17.2 The effects of drinking alcohol cause you to perform your work less well. It is a health and safety risk. Because of this, you must not drink alcohol:
- Before you start work
 - During your working hours
 - During a lunch break from work
 - On any other break during your working day
 - At functions such as conferences within working hours.
- 17.3 If you drink alcoholic drinks at these times, this may be regarded as misconduct or gross misconduct, which could lead to dismissal.
- 17.4 If you use substances, illegal drugs, or prescription drugs that have not been prescribed for you, or are not taken in accordance with your physician’s directions, this will not be accepted. This may result in the Council contacting the police to report it. Use of illegal drugs or prescription drugs that have not been prescribed for you or are not taken in accordance with your physician’s directions before or during work, on breaks or at functions may be considered misconduct or gross misconduct, which could lead to dismissal.
- 17.5 If you are concerned that you may have a dependence on alcohol, drugs or any other substances, you are encouraged to seek help and advice from your General Practitioner and speak to your manager in confidence, who will discuss actions, that you could take to address the problem. See Alcohol, Drug and Substance Misuse Policy, [Appendix L](#).

18.0 GENERAL CONDUCT

- 18.1 You must follow instructions, providing they are lawful. You must make sure you do not do anything that might affect the Council’s legal position. You should show respect for service users, colleagues and elected members.
- 18.2 We expect you to use good judgement, and take account of other people’s views. We expect you to take responsibility and decide your own view on any issue that comes up while you work for the Council.
- 18.3 If you need further information or advice about what to do in a situation, you should contact your manager, an HR Adviser or the Chief Internal Auditor.
- 18.4 You should read this Code together with the [policies referred to within it appendices](#), and any other Codes of Practice or policies that are about conduct or security.

19.0 DATE OF IMPLEMENTATION

Revised 4 September 2019 ([minor amendment February 2023](#))

20.0 APPENDICES POLICIES REFERRED TO IN THIS CODE OF CONDUCT

The most recent versions of these Policies may be accessed from the HR pages of the Intranet.

- A Declaration of Interests Policy ~~(February 2016)~~
- B Anti-Fraud and Corruption Policy Statement and Framework (including the Anti-Bribery Policy and Procedures) ~~(May 2018)~~
- C Gifts and Hospitality Corporate Policy ~~(January 2018)~~ and Procedure ~~(April 2018)~~
- D Whistleblowing Policy and Procedure ~~(June 2018)~~
- E Information Governance and Security Policy ~~(July 2015)~~
- F ICT Acceptable Use Policy ~~(June 2015)~~
- G Data Protection Policy ~~(May 2019)~~
- H Social Networking Policy ~~(July 2015)~~
- I Other Employment Related ~~to~~ Activities – Fees ~~(July 2015)~~
- ~~J~~ ~~Politically Restricted Posts (April 2015)~~
- JK Dignity and Respect at Work Policy ~~(August 2011)~~ and Procedure ~~(November 2018)~~
- KL Alcohol, Drug and Substance Misuse Policy ~~(July 2015)~~

GLOSSARY TO CODE OF CONDUCT

Contractor- An individual, partnership, company or other service that has a contract with us to do or provide something. For example, to design, develop, manufacture, maintain or provide services.

Conflict of Interest- A conflict between private interests and your duties with the Council. This can exist whether or not money is involved, and whether the conflict is actual or just perceived.

Competitive Tender- Where several potential contractors are invited to prepare proposals to provide a project or service, on the basis of quality and price.

Disciplinary- Disciplinary action is action taken by an employer for violating policy or procedure (including the Code of Conduct). For more details on this, see the Council’s Disciplinary Policy.

Disrepute- To bring something into disrepute is to lower its reputation, damage its image.

Misconduct- Breaking the Code of Conduct, another Code or terms and conditions may be considered misconduct. There are different types of misconduct depending on the exact circumstances and consequences. The most serious type is **gross misconduct**. For more information on this, see the Council’s **Disciplinary Policy**.

Inducement- something that encourages you towards an action- an incentive. This could be money, food, gifts, or anything else that might benefit you. If you are offered or take something that people may think is an inducement, you could be accused of making decisions unfairly based on what you received.

Whistleblowing (also ‘whistle blowing’) - Revealing wrongdoing to someone in authority. For more information on this, see ~~Appendix D~~, the Whistleblowing ~~p~~Policy.

RELEVANT LAW

This section points to relevant law on some topics from the Code of Conduct. It should not be considered an exhaustive list as legislation frequently changes. If you are unsure about whether an action would be lawful, please investigate further.

Monitoring and Surveillance:

The Regulation ~~and of~~ Investigatory Powers Act [2000](#), the Data Protection Act 2018, and the Human Rights Act 1998.

Use of IT Equipment:

The Data Protection Act 2018, The Obscene Publications Act 1959, The Computer Misuse Act 1980, The Theft Act 1968.

Equalities:

Equality Act 2010

APPENDIX J

Politically Restricted Posts (PoRPs) (Revised May 2012/Minor Amendments February 2013 and April 2015, [updated February 2023](#))

Legal Background

The Local Government and Housing Act 1989 (~~LGHA~~) introduced the principle of Politically Restricted Posts (PoRPs) in local authorities. This Act had the effect of restricting the political activities of certain local authority employees. ~~The LGHA was amended in 2009 by the Local Democracy, Economic Development and Construction Act 2009.~~

Restricted Posts

Posts may be politically restricted because:

- they are specified as PoRPs in accordance with the legislation; or
- it has been determined that they fall within the sensitive duties related criteria of the legislation

Specified Posts within Sheffield City Council

These post holders are politically restricted without the right of appeal

[Head of the Paid Service \(Chief Executive\)](#)
[Monitoring Officer \(Director of Legal and Governance\)](#)

Statutory **Chief Officers**

~~The Head of the Paid Service (Chief Executive)~~

Director of Children’s Services under Children’s Act 2004 ([Director of Children’s Services Executive Director People](#))

Director of Adult Services under LASSA 1970 (Director of Adult Health and Social Care)

Chief Finance Officer under Section 151 of LGA 1972 ([Director of Finance and Commercial Services Executive Director of Resources](#))

~~The Monitoring Officer (Director of Legal and Governance)~~

Director of Public Health under section 73A of the NHS Act 2006 (Director of Public Health)

Non Statutory Chief Officers

Officers reporting directly to the Head of the Paid Service excluding secretarial/clerical support.

Deputy Chief Officers

An officer reporting directly or is directly accountable to one or more of the statutory or non-statutory Chief Officers.

Officers Exercising Delegated Powers

Officers whose posts are specified by the authority in a list maintained in accordance with section 100G(2) of the Local Government Act 1972.

Assistants for Political Groups

Sensitive Duties Posts within Sheffield City Council

The duties of a post under a local authority fall within this subsection if they consist of or involve one or both of the following sensitive duties i.e.:

- giving advice on a regular basis to the authority itself, to any committee or sub-committee of the authority or to any joint committee on which the authority are represented; ~~or where the authority are operating executive arrangements, to the executive of the authority, to any committee of that executive; or to any member of that executive who is also a member of the authority~~
- speaking on behalf of the authority on a regular basis to journalists or broadcasters

These post holders can appeal against political restriction on the grounds that the criteria have been wrongly applied.

Teachers and Head ~~T~~Teachers are exempt from political restriction, whatever their role.

A list of all Politically Restricted Posts within Sheffield City Council is held by the relevant Proper Officer (Chief Executive). Any modifications to this list must be reported and recorded accordingly.

Restrictions on Post Holders

Employees in PoRPs are debarred from standing for or holding elected office as:

- Local councillors
- MPs
- ~~MEPs~~
- Members of the Welsh Assembly
- Members of the Scottish Parliament

They are also restricted from:

- Canvassing on behalf of a political party or a person who is or seeks to be a candidate
- Speaking to the public at large or publishing any written or artistic work that could give the impression that they are advocating support for a political party

Appeals against inclusion on the list of politically restricted posts

Post holders who are politically restricted because they hold specified posts have no right of appeal.

- Appeals are made to the Head of Paid Service
- Post holders of sensitive posts that are politically restricted may appeal on the grounds that the authority has wrongly applied the duties-related criteria
- Appeals may be made by the current post holder or by an individual who has been offered employment in a politically restricted post
- There is no timescale during which a post holder must make an appeal
- To appeal, employees should send a letter formally seeking exemption and a job description to the Monitoring Officer (Director of Legal and Governance), Town Hall, Pinstone Street, Sheffield, S1 2HH
- If the appeal is successful, the Monitoring Officer will notify HR ~~Connect at Capita~~, so that it may be noted on the records for the individual and for the post

Please Note: This document is a summary, if you require further details or are unsure about any of the content please contact the Director of [HR Human Resources and Customer Services](#), Town Hall, Pinstone Street, Sheffield S1 2HH.

Extract From The Sheffield City Council Constitution:
Part 3 (Responsibility for Functions) - Part 3.3 (Matters Delegated to Committees and Sub-Committees) - Section 3.3.1 (Policy Committees)

TRANSPORT, REGENERATION AND CLIMATE CHANGE POLICY COMMITTEE

Council Functions

The following functions are within the remit of Transport, Regeneration and Climate Change Policy Committee:

- City Centre and Central Area Portfolio Development
 - Heart of the City 2
 - City Centre and Central Area major developments
- Investment, Climate Change and Planning
 - Regeneration
 - Strategic Development
 - Sustainable City
 - Flood Protection
 - Building standards and public safety
 - Planning policy
 - Strategic transport sustainability and infrastructure

Within its remit the Committee:

- Takes decisions on any reserved matter;
- Champions heritage;
- Is responsible for regular monitoring of data including performance and financial information and for monitoring the performance of services;
- Is responsible for working within the budget framework agreed by Council, including taking timely action to address any overspend within services;
- Is responsible for delivery against the Corporate Plan and any associated Annual Plans and reporting performance to Strategy and Resources Policy Committee;
- Must keep its work programme under review at each meeting;
- May consider any matters referred by an Area Committee.

The Committee may refer matters within its own remit (but not matters within the remit of any other Policy Committee) to Full Council only in exceptional circumstances. The Committee may refer matters to Strategy and Resources Policy Committee but to no other Policy Committee. It is responsible for delivery on matters referred by Strategy and Resources Policy Committee and, in the case of cross-cutting issues, for communication, through the Chairs, with any affected Policy Committee.

When devising policy, evaluating service delivery and taking decisions the Committee must consider:

- Public engagement in informing its work

- Equality, diversity and inclusion implications
- Climate and Bio-diversity

Matters Reserved to Transport, Regeneration and Climate Change Policy Committee

Functions arising from the Council's roles as Road Traffic Authority, including transport and parking matters, where these relate to:-

- The Capital Programme;
- policy statements;
- matters that have drawn objections from members of the public;
- schemes with a value in excess of £250,000.

Review and scrutiny of the exercise by risk management authorities of flood risk management functions under section 9JB of the Local Government Act 2000.

Article 17 - Suspension, Interpretation and Publication of the Constitution

17.01 Suspension of the Constitution

- (a) **Limit to suspension.** The Articles of this Constitution may not be suspended. The Rules in other Parts of this Constitution may be suspended as set out in and to the extent permitted within those Rules and the law.
- (b) **Procedure to suspend.** A motion to suspend any rules will not be moved without notice unless at least one half of the Councillors entitled to vote are present. The extent and duration of suspension will be proportionate to the result to be achieved, taking account of the purposes of the Constitution set out in Article 1.

17.02 Interpretation

The ruling of the Lord Mayor as to the construction or application of this Constitution or as to any proceedings of the Council shall not be challenged at any meeting of the Council. Such interpretation will have regard to the purposes of this Constitution contained in Article 1.

17.03 Publication

- (a) The Monitoring Officer will ensure that copies are available for inspection at Council offices, libraries and other appropriate locations, and on the Council's website.
- (b) The Monitoring Officer will ensure that a summary of the Constitution is made widely available within the area and is updated as necessary.

17.04 Definitions

In this Constitution '**Executive Director**' means an Officer [who reports directly to the Chief Executive \(other than an officer whose duties are solely secretarial or clerical\)](#) ~~designated in the Council's Management Structure in Part 7 as an Executive Director.~~

Details of Change approved by the Monitoring Officer on 14th December 2022

Extract From : Sheffield City Council – Constitution (May 2022)
Part 4 – Council Procedure Rules (amended & updated July 2022)

33 Appointment of Substitutes on Committees

Where an Appointed Member of a Committee is unable to attend a meeting of that Committee, he/she may arrange for a Substitute Member to attend, subject to the following conditions:-

- (a) a Committee Member wishing to be substituted will seek a substitute from the approved list for his/her Party Group;
- (b) the Chief Executive or his/her representative must be notified in writing of the substitution at least one full working day before the day of the Committee;
- (c) the substitution shall last for the duration of the meeting, including an adjourned meeting; ~~and~~
- (d) Substitute Members are not permitted to attend a meeting of Strategy and Resources Policy Committee; ~~and~~
- (e) the Monitoring Officer, in consultation with the relevant Chair, may permit a substitute if the notice under (b) above has not been given, if satisfied there is a good reason why the required notice was not given.

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