



REPORT TO: MORAY COUNCIL ON 27 MARCH 2024

SUBJECT: REVIEW OF COUNCIL'S STANDING ORDERS

BY: DEPUTE CHIEF EXECUTIVE (EDUCATION, COMMUNITIES AND ORGANISATIONAL DEVELOPMENT)

1. REASON FOR REPORT

- 1.1 To invite the Council to approve the revised Standing Orders.
- 1.2 This report is submitted to Council in terms of Section II (15) of the Council's Administrative Scheme relating to the formulation, review and amendment of the Administrative Scheme and Standing Orders which provides that amendments to Standing Orders require to be raised at one Council meeting for approval at the following meeting.

2. RECOMMENDATION

2.1 It is recommended that the Council:

- i) approve the final version of the Council's Standing Orders following the 2023/24 review;**
- ii) agree whether to record reasons for apologies submitted at meetings; and**
- iii) if (ii) agreed above, consider and agree the reasons as detailed in paragraph 5.3**

3. BACKGROUND

- 3.1 In terms of Standing Order 90 the Council is required, at least once every year, to review the standing orders to determine whether any alteration should be considered.
- 3.2 The last review was carried out and agreed at a meeting of Moray Council on 28 September 2022 (para 11 of the minute refers).
- 3.3 Recommendations were considered by the Council on 6 March 2024 (para 16 of the draft minute refers. The final amendments are detailed in paragraph 4 below.

4. **CHANGES**

4.1 **Material Changes**

A number of options were identified and agreed at the meeting on 6 March 2024 and they are as follows:

A Approval of committee minutes

Continue current practice where committees approve their own minutes and these are published, but not presented to full Council.

B Questions on minutes

Encourage questions on content to be raised without the need for committee procedure and require any remaining questions to be submitted under Written Question procedure.

C Reading out responses to Written Questions

Cease practice of reading out responses. Continue publication. Responses to written questions will be published on CMIS at 4pm the day before the meeting

D Remove Open Question Time

Remove open Question Time from all meetings and require all questions to be put in writing.

E Information reports

Continue Current arrangements which require Information Reports to be called in (subject to timing clarity set out in paragraph 4.2 below).

4.2 **Minor changes**

In addition to the material changes detailed above a number of minor changes were agreed. **Appendix 1** contains a tracked change version of the Standing Orders with these changes.

SO No	Amendment	Reason
25	Change to gender neutral language	
29 (l)	Removal of Question time	
30	Removal of reference to Question Time	
35 (c)	Inclusion of table to confirm deadlines for Notices of Motion	To make deadlines clearer
36	Inclusion of table to confirm deadlines for Written Questions	To make deadlines clearer
38	Clarification of timescale for call in of Information reports	Existing wording unclear
38	Inclusion of 'of the Committee'	Following an issue at ECLS Committee it was agreed that the proposer and seconder for the calling in Information reports should sit on the Committee.

SO No	Amendment	Reason
67	Change to gender neutral language	
71	Standing Order referred to in paragraph should be 70 and not 72	Amendment to Standing Order referred to in paragraph
76	Changes to Committee Membership	It was agreed that changes to Committee Membership could be submitted by the Group Leaders.

5. **APOLOGY REASONS**

- 5.1 At the meeting of Moray Council on 6 March 2024 (para 16 of the draft minute refers) it was agreed that apology reasons would be considered as part of the review of the Hybrid Meeting protocol. However, Member's attendance for 2023/24 will be produced and published on the Council's website in April 2024 and it felt prudent to bring the matter before Council at this point.
- 5.2 Current practice is to only record apologies and not the reason for the apology. However, some Councillors have requested that reasons for the apology and non attendance at the meeting are recorded.
- 5.3 It is proposed that a simple apology will be recorded in the minute with a further explanation, on the reason for the apology on the CMIS attendance tab of each meeting.
- 5.4 It is proposed to use the following reasons:
- Leave (Sick/Annual/Other)
 - Other Council Business
 - Connection/System Failure
 - Not Known/Indicated
- 5.5 If Council, agree to record absence reasons, Members will be given the opportunity to provide the reasons for 2023/24 and Committee Services will update the information retrospectively.

6. **SUMMARY OF IMPLICATIONS**

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

Effective governance arrangements are key to the development and delivery of the Council's stated priorities and plans.

(b) Policy and Legal

Provision of Standing Orders ensures that the Council's affairs are administered in accordance with the law, propriety and proper standards.

(c) Financial implications

None.

(d) Risk Implications

Updated constitutional documents help to promote good governance and reduce the chance of a successful challenge to Council decisions.

(e) Staffing Implications

The proposed amendments can be accommodated within existing staff resources.

(f) Property

None.

(g) Equalities/Socio Economic Impact

There are no direct impacts as the Council's constitutional documents regulate the Council's internal procedures only.

(h) Climate Change and Biodiversity Impacts

None.

(i) Consultations

The Chief Executive, Depute Chief Executive (Economy, Environment and Finance), Depute Chief Executive (Education, Communities and Organisational Development and the Head of Governance, Strategy and Performance have been consulted and any comments have been included in the report.

6. CONCLUSION

6.1 The annual review of the Council's constitutional documents has resulted in a number of changes being identified and the Standing Orders, have been redrafted accordingly. The Council is asked to approve the amendments.

Author of Report: Head of Governance, Strategy and Performance and Democratic Services Manager

Background Papers:

Ref: SPMAN-1293228629-1062