

Public Document Pack

Notice of Meeting

West Surrey Shadow Authority Constitution Sub Committee

<u>Date and Time</u>	<u>Place</u>	<u>Contact</u>
Thursday, 27 August 2026 at 5.00 pm	Guildford Borough Council, Millmead House, Millmead, Guildford, Surrey, GU2 4BB	Democratic Services committeeservices@spelthorne.gov.uk

Membership	
Name	Ward
Councillor Jane Austin	Waverley Eastern Villages
Councillor Jonathan Hulley	Thorpe, Longcross & Ottershaw
Councillor Louise Morales	Woking South
Councillor Rory O'Brien	Sunbury Common & Ashford Common
Councillor Joanne Shaw	Guildford East
Councillor Sally Shorthose	Farnham South
Councillor Richard Wilson	Bagshot, Windlesham & Chobham Ward

MEETING SUMMONS

To the members of the Constitution Sub-Committee:

You are hereby summoned to attend a meeting of the Constitution Sub-Committee to be held on Thursday, 27 August 2026 at 5.00 pm, for the transaction of the business set out in the following agenda.

Such meeting to be held in the Guildford Borough Council, Millmead House, Millmead, Guildford, Surrey, GU2 4BB

For enquiries regarding this agenda contact: Democratic Services

committeeservices@spelthorne.gov.uk

Susan Sale
Interim Monitoring Officer
West Surrey Shadow Authority
Published: Date Not Specified

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AGENDA

Page nos.

1. Apologies

To receive any apologies for absence.

2. Declarations of interest

All members present are required to declare, at this point in the meeting or as soon as possible thereafter:

1. Any disclosable pecuniary interests and/or
2. Other interests arising under the Code of Conduct in respect of any item(s) of business being considered at this meeting.

3. Minutes of previous meeting

1 - 6

To confirm, as a correct record, the minutes of the inaugural Constitution Sub-Committee, held on 6 August 2026.

4. Proposed Amendments to the Member and Officer Protocol

7 - 28

To consider the revised Member Officer Protocol and to make a recommendation to the Standards Committee to approve.

Standards Committee to make a recommendation to Council to approve the revised Member Officer protocol.

5. Scrutiny Structure

To consider the initial future design of a scrutiny structure for West Surrey Council.

Report to follow.

6. Governance Arrangements for the Review and Preparation of the Constitution 29 - 38

To consider a proposal to disband the Constitution Sub-Committee and establish a Constitution Working Group to replace the Sub-Committee with immediate effect.

7. Amendments to the Employment Committee Terms of Reference 39 - 50

To consider changes to the Employment Committee Terms of Reference

8. Responses to Shadow Authority Member Raised Issues

To consider the responses to Shadow Authority member raised issues.

Report to follow.

9. Work Programme 51 - 56

To consider the Work Programme for the Constitution Sub-Committee

PLEASE NOTE: members of the public are able to attend the meeting in person. The meeting will also be broadcast online at www.youtube.com/user/SpelthorneCouncil

The whole of the meeting will be filmed except where there are confidential or exempt items. In attending any meeting, you are recognising that you may be filmed and consent to the live stream being broadcast online, and available for others to view. Members of the press/public may film or record proceedings, blog or tweet proceedings and take photographs providing they do not disturb the conduct of the meeting.

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Thank you for your co-operation.

Minutes of West Surrey Shadow Authority Constitution Sub Committee

6 August 2026

Present:

Councillor Jonathan Hulley, Thorpe, Longcross & Ottershaw
Councillor Louise Morales, Woking South
Councillor Rory O'Brien, Sunbury Common & Ashford Common
Councillor Joanne Shaw, Guildford East
Councillor Sally Shorthose, Farnham South
Councillor Richard Wilson, Bagshot, Windlesham & Chobham Ward

Apologies:

Councillor Jane Austin, Waverley Eastern Villages

Substitutes:

Councillor Scott Lewis, Woodham & New Haw

Councillors in attendance:

1 Election of a Chair for the Constitution Sub-Committee

Councillor Richard Wilson nominated and Councillor Louise Morales seconded Councillor Joanne Shaw as Chair of the West Surrey Shadow Authority Constitution Sub-Committee.

The Sub-Committee **RESOLVED** that Councillor Joanne Shaw be elected as Chair of the West Surrey Shadow Authority Constitution Sub-Committee.

2 Election of a Vice Chair for the Constitution Sub-Committee

Councillor Joanne Shaw nominated and Sally Shorthose seconded Councillor Louise Morales as Vice Chair of the West Surrey Shadow Authority Constitution Sub-Committee.

The Sub-Committee **RESOLVED** that Councillor Louise Morales be elected as Vice Chair of the West Surrey Shadow Authority Constitution Sub-Committee.

3 Apologies

Apologies were received from Councillor Jane Austin. Councillor Scott Lewis was in attendance as her substitute.

4 Declarations of interest

There were no declarations of interests made.

5 Terms of Reference and Procedures of the Constitution Sub-Committee

The Sub-Committee considered and noted the Terms of Reference and Procedure Rules of the West Surrey Shadow Authority's Standards Committee's Constitution Sub-Committee.

The membership of the Committee, how the substitute scheme could work for the Sub-Committee and the role of the Committee in making recommendations to the Standards Committee were discussed. The Sub-Committee would be able to consider any proposed changes to the Constitution in depth before making any recommendations.

The role of the Sub-Committee would be to consider the reports brought before them and resolve whether to make a recommendation to the Standards Committee for them to make a recommendation to Full Council.

Substitutes for members of the Sub-Committee would be chosen from the members of the Standards Committee.

During the debate the Sub-Committee were advised that the Sub-Committee would consist of 7 members appointed from the Standards Committee and 3 members would be required to be physically present in order for the meeting to be quorate.

The Committee discussed changing the Constitution Sub-Committee into a Working Group to allow remote participation and voting. It was requested that a report be brought back to the Sub-Committee that would outline the process for making this change and any implications. Members were asked to submit specific comments or suggestions regarding the Working Group proposal to the Monitoring Officer for them to be incorporated in the officer's report.

The Sub-Committee **RESOLVED:**

1. To note the extract from the Terms of Reference of the Standards Committee, relevant to the Constitution Sub-Committee, as set out in Appendix 1 of the report; and
2. To note the extract from the Standards Committee Procedure Rules, relevant to the Constitution Sub-Committee, as set out in Appendix 2 to the report.

6 Proposed Changes to Council Procedure Rules

The Sub-Committee considered the suggested arrangements for dealing with proposed changes to the Council Procedure Rules in the West Surrey Shadow Authority Constitution.

The Sub-Committee were asked whether they wanted to consider all the procedure rules in one session or split them over the September, October and November's meetings.

The Sub-Committee **RESOLVED:**

1. To consider the Council Procedure Rules in parts at the Sub-Committee meetings in September, October and November 2026; and
2. To authorise the Interim Monitoring Officer to amend the Work Programme for the Sub-Committee to give effect to its decision.

7 Guidance for Councillors on Gifts and Hospitality

The Sub-Committee considered the proposed adoption of guidance for councillors on Gifts and Hospitality for the West Surrey Authority, both during the Shadow Period and post Vesting Day. The guidance would support councillors in identifying, declaring and managing offers of gifts and hospitality connected with their role and establish a consistent approach across the new authority.

In preparing the proposed guidance, officers had reviewed the arrangements operated by predecessor councils in West Surrey as well as relevant national guidance. The proposed guidance had been developed specifically for the West Surrey Authority.

Adoption of the guidance would provide transparency, support high standards of conduct and provide councillors with practical guidance on the acceptance, refusal and declaration of gifts and hospitality.

The Sub-Committee considered declaration thresholds, the process for registering gifts and hospitality, handling of past declarations and the importance of transparency.

The Sub-Committee **RESOLVED:**

1. To consider the proposed Guidance for Members on Gifts and Hospitality attached at Appendix 1 of the report, and recommended its approval to the Standards Committee,
2. **That the Standards Committee recommended that the Shadow Authority resolved:**

- 2.1 To adopt the Guidance for Councillors on Gifts and Hospitality, attached as Appendix 1 of the report, into the West Surrey Shadow Authority Constitution and for post Vesting Day, the West Surrey Authority Constitution,
- 2.2 To note that the Monitoring Officer will maintain a Register of Gifts and Hospitality declared by councillors and co-opted members and arrange for relevant entries to be published on the Future Surrey website.
- 2.3 To delegate authority to the Monitoring Officer, in consultation with the Chair of the Standards Committee, to make minor administrative, legislative and formatting amendments to the guidance where these do not materially alter its purpose or effect.

8 Member Conduct Complaints Procedure

The Sub-Committee considered a report that set out suggested arrangements for dealing with allegations of member misconduct under the Code of Conduct, for adoption into the Constitution.

If the revised arrangements were accepted, they would replace the current Part 4:5 Part A: Arrangements for Dealing with Allegations and Determinations of Complaints Under Section 28(6) Localism Act 2011 and Appendix 1 - Sub Committee Hearing Procedure for determination of allegations about the Member Code of Conduct.

The Sub-Committee were advised how the procedure would work if adopted. The composition of hearing panels and the selection of members to sit on a panel was discussed. Members were advised that 3 members from the Standards Committee would sit on the Hearing Panel and would be politically balanced.

An annual report would be produced that would provide data on how many complaints were received, how many were investigated and the outcomes.

The Sub-Committee **RESOLVED:**

To recommend that the Standards Committee:

Recommend to the Shadow Authority that the revised Standards Arrangements set out in Appendix One and Appendix Two to this report are agreed and that the Constitution be amended accordingly.

That the Standards Committee resolves to recommend that the Shadow Authority resolves to:

Adopt the revised Standards Arrangements set out in Appendix 1 and Appendix Two to this report into the Constitution with immediate effect.

9 Social Media Policy for Councillors

The Sub-Committee considered a report that outlined the proposed Social Media Policy for Councillors of the West Surrey Shadow Authority, for inclusion in the Constitution. The policy was prepared having regard to the existing arrangements of the sovereign Council's and the Local Government Association's updated guidance on councillors' use of social media. By drawing on national guidance and good practice, the policy aimed to ensure councillors were well-equipped to navigate the digital environment in a professional and inclusive manner, establishing a clear and consistent framework for members' online activity.

The Policy aimed to support councillors in engaging with residents effectively, whilst protecting the Council's reputation, ensuring compliance with legal obligations, and upholding the Member Code of Conduct. Adoption of the policy would minimise risks and promote consistent standards of behaviour across all online platforms.

The Sub-Committee was asked to consider the proposed policy and recommend to the Standards Committee for recommendation to the Shadow Authority for its inclusion in the Constitution, both during the Shadow Period and post Vesting Day. Adoption of the policy would support members to use social media safely and effectively, provide clarity about the standards expected of them and help maintain public confidence in the Council's ethical governance arrangements.

The Constitution Sub-Committee **RESOLVED**:

1. To consider the proposed Social Media Policy for councillors, attached at Appendix 1 of the report, and recommend it to the Standards Committee:
2. **That the Standards Committee recommends that the West Surrey Shadow Authority resolves:**
 - 2.1 to approve the Social Media Policy for Councillors for inclusion in the Constitution, both during the Shadow Period and for Post Vesting Day,
 - 2.2 to authorise the Monitoring Officer, in consultation with the Chair of the Standards Committee, to make minor amendments to the policy to reflect changes in legislation, statutory guidance, Local Government Association guidance or Council arrangements, provided that such amendments do not materially alter the purpose or effect of the policy; and
 - 2.3 to note that training to support councillors in using social media is included within the Member Development Programme.

10 Member Requests Regarding the West Surrey Shadow Authority Constitution

The Sub-Committee considered requests from councillors for areas of the West Surrey Shadow Authority Constitution they wanted to be reviewed and amended. The following members' requests had been submitted for the Sub-Committee's consideration:

1. Councillor Austin – The Monitoring Officer would produce a Briefing Note for all members to clarify the term 'clear working days' as referenced in the procedure for submitting motions and questions within the Council's Constitution.
2. Councillor Hulley – This would form part of the CPR Review
3. Councillor Austin – This was seen as low priority at this time but would be considered in the future.
4. Councillor Macdonald – This had been addressed within the proposed Constitution.
5. Councillor Powell - This would form part of the CPR Review
6. Councillor Rice - This was seen as low priority at this time but would be considered in the future.

The Sub-Committee **RESOLVED**:

That the requested items should be included in the Sub-Committee Work Programme and authorise the Monitoring Officer to update it accordingly, and to bring forward further requests for consideration as appropriate.

11 Work Programme for the Constitution Sub-Committee

The Sub-Committee reviewed and approved the Work Programme and requested that future meeting dates be confirmed and circulated to members.

The Sub-Committee **RESOLVED**:

To approve the Work Programme for the Sub-Committee.

West Surrey Shadow Authority		
Report title: Proposed amendments to the Member-Officer Protocol		
Report to: Constitution Sub-Committee		
Date: 27 August 2026		
Executive Portfolio Holder: Cllr. Victoria Kiehl Contact Email: Victoria.Kiehl@westsurrey.gov.uk		
Report of Statutory Officer: Susan Sale, Monitoring Officer (interim) Contact Email: Susan.Sale@westsurrey.gov.uk		
Report author(s): Deborah Davies, Deputy Monitoring Officer (interim) Contact Email: Deborah.Davies@westsurrey.gov.uk		
Wards affected: All Ward councillors informed: Yes		
Exempt from publication: No		
Key Decision: No	If a Key Decision, date registered on Forward Plan: N/A	
Report cleared for publication by:		
People Workstream	N/A	N/A
Equalities Impact Assessment complete	N/A	N/A
Senior Responsible Officer (or their delegate)	N/A	N/A
S151 Officer	Susan Sale on behalf of Vicky Radford	13 August 26
Monitoring Officer	Susan Sale	13 August 26
Executive Portfolio Holder consultation	Cllr Victoria Kiehl	13 August 26
Sub Committee Chair consultation	Cllr Jo Shaw	13 August 26
Head of Paid Service	Susan Sale on behalf of Andy Brown	13 August 26

1. Executive Summary

- 1.1** This report sets out suggested amendments to the Member – Officer Protocol, for adoption into the Constitution.
- 1.2** If the revised arrangements are accepted, they will replace the current Part 5-2 Protocol on Member Officer Relationship in the Shadow Authority Constitution

2 Recommendations:

- 2.1** That the Constitution Sub-Committee resolves to recommend that the Standards Committee:

- 2.1.1** **Recommend to the Council that the revised Member Officer Protocol set out in Appendix One to this report is agreed and that the Monitoring Officer be delegated to amend the Constitution accordingly.**

3 Reason(s) for recommendation:

- 3.1** The relationship between Councillors and Officers is paramount to the governance and efficiency of the organisation and the service delivery and best value we provide to our residents, communities and businesses. Having clarity over the separate but inter dependent roles of Councillors and Officers, their respective responsibilities and how they effectively support each other and work together for shared outcomes is essential to good governance.

4 Next steps

- 4.1** If this report is approved by the Constitution Sub-Committee, then it will be considered by the Standards Committee who will decide whether to recommend the changes to the Constitution, to the Council at its next meeting.

5 Exemption from publication

- 5.1** This report is not exempt from publication.

6 Background and Proposal

- 6.1** In order to support local authorities, the Local Government Association (LGA) produced good practice guidance on Member Officer relations protocols in November 2025.
- 6.2** West Surrey Shadow Authority adopted a Protocol on Member Officer Relationships at its inaugural meeting, and officers have now given further consideration to that Protocol, having regard to the LGA guidance and comments contained in Peer reviews.
- 6.3** The proposed version in Appendix One is a more developed and operational version of the current protocol. The main differences are highlighted in yellow. The suggested protocol is more wide ranging and operational and covers a number of new areas, such as attendance at group meetings, working between ward members and how to escalate relationship concerns.
- 6.4** As West Surrey Council will be a new entity, there is a need to develop a culture for the organisation and being clear how members and officers can work together and the expectations of both will be integral to that culture and to good governance.
- 6.5** The LGA Guidance suggests that when considering a new protocol, members should consider the following:-
- What are the member-officer leadership dynamics in our authority? (for example, new political leadership/established officer leadership, established political leadership/new managerial leadership or new political leadership/new managerial leadership?) What are the implications of this for member-officer relations?
 - How does/ will the protocol align with the authority's corporate governance framework and corporate values?
 - Does/ will the protocol clearly define the respective roles and responsibilities of members and officers in the authority?
 - Are the boundaries between political and professional roles well-articulated and practical?
 - Have we involved a representative mix of members and officers in the process of developing/ reviewing the protocol?
 - Have we considered feedback from previous complaints, conduct issues or governance reviews?
 - Will the new protocol help to guide behaviour in real-world scenarios, including challenging or ambiguous situations?
 - Is it easy for members and officers to find the protocol and is the language used accessible and understandable to all?

West Surrey Council is of course at an early stage, operating in a shadow format, and it may be necessary to revisit the protocol for the future, once the Council is established, to ensure that it is embedded in the culture of the organisation. However a number of the questions set out above can still be considered by members.

7 Consultation

- 7.1** Both the relevant portfolio holder has been consulted, (and her comments will be reported to the Sub-Committee) and the Chair of the Constitution Sub Committee.

8 Key Risks

- 8.1** The Council already has a published Member Officer Relations Protocol and the proposed changes build on, and improve, that position. Making a change at this early stage reduces the risk that embedding the protocol within the culture of the West Surrey Council takes longer.
- 8.2** As West Surrey Council will be bringing together different ways of working with members/officers from across a number of existing councils, a more operational protocol which sets out clear suggestions for each circumstance would appear to be more helpful and provide greater clarity for members and officers.

9 Options

- 9.1** Not to agree any revision to the agreed protocol.
- 9.2** To agree changes to the proposal. The Sub-Committee could recommend changes to the proposed arrangements.
- 9.3** To agree the proposed arrangements set out in Appendix One. This is the preferred option as they are in line with recommended good practice from the LGA and other peer reviewed councils.

10 Issues for consideration

10.1 Financial Implications

10.1.1 There are no financial implications to this report.

10.2 Section 151 Officer Commentary

10.2.1 No further comments.

10.3 Legal Implications

10.3.1 Local authorities have a duty, under s.27 Localism Act 2011 (the Act), to promote and maintain high standards of conduct by their members and co-opted members. Having a member officer relations protocol in place helps to support the Code of Conduct.

10.3.2 The Equality Act 2010 (Public Sector Equality Duty) requires public authorities to have due regard to eliminating discrimination and advancing equality in their decisions, reinforcing the expectation that members and officers act fairly and without bias.

10.3.3 The Local Government and Housing Act 1989 requires the appointment of certain statutory officers (Head of Paid Service, Monitoring Officer, Chief Finance Officer) with defined duties and imposes political restrictions on senior council employees to ensure their political neutrality.

10.4 Monitoring Officer Commentary

10.4.1 The protocol can be used to form part of the Council's local code of governance and as a commitment to upholding standards of conduct in public life, supporting adherence to respective member and officer codes of conduct.

10.4.2 Local authorities are not legally required to agree a protocol on member-officer relations: it is however recognised as good practice across the sector, with most authorities having adopted a protocol.

10.5 People/Human Resources Implications

10.5.1 There are no HR implications.

10.6 Equality and Diversity Implications

- 10.6.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
 - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 10.6.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 10.6.3 The Equalities Comprehensive Impact Assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.
- 10.6.4 This duty has been considered in the context of this report and it has been concluded that there are no equality and diversity implications arising directly from this report.

10.7 Climate Change and Sustainability Implications

- 10.7.1 There are no implications arising from this report.

10.8 Stakeholders Implications

- 10.8.1 None

11 Overview & Scrutiny Comments

- 11.1 N/A

12 List of Appendices

12.1 Appendix 1 – Suggested Revisions to 5-2 Member Officer Relations

13 List of Background papers

LGA – Good Practice on Member Officer Relations Protocols

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Part 5-2. Protocol on Member/Officer Relations

1. Introduction

- 1.1 The purpose of this protocol is to guide Members and Officers of the Council in their relationships with one another. It is not intended to be prescriptive or comprehensive and seeks simply to offer guidance on some of the issues which most commonly arise.
- 1.2 Together, elected members and officers make up 'the Council'. They are indispensable to one another and mutual respect and communication between both is essential for good local government. By working in conjunction, they bring the critical skills, experience and knowledge required to manage an effective council. Councillors provide a democratic mandate to the council, whereas officers contribute the professional and managerial expertise needed to deliver the policy framework agreed by councillors. The roles are very different but need to work in a complementary way.
- 1.3 The protocol seeks to reflect the principles underlying the respective Codes of Conduct [*Note; WSC to be developed*], which apply to Members and Officers and should be read in association with those Codes. The shared objective of the Codes is to enhance and maintain the integrity of local government.
- 1.4 The partnership between members and officers should be based upon mutual trust and respect and all should aspire to the highest standards of ethical behaviour. Compliance with this Protocol is critical to meeting this aspiration.
- 1.5 This Protocol, whilst not legally binding, will be relevant in judging compliance with the Codes of Conduct. A breach of the provisions of this Protocol may also constitute a breach of the Member and Officer Codes.
- 1.6 The principles of this Protocol apply to all interactions between members and officers, **including the use of Social Media.**

2. Member / Officer relationships – general principles

- 2.1 Both members and officers are servants of the public and are indispensable to one another, but their responsibilities are distinct. Members are responsible to the electorate and serve only as long as their term of office lasts. Officers are responsible to the Council as a whole; their job is to give advice and to carry out the Council's work under the direction and control of the Council, its Committees and the Executive.
- 2.2 The importance of mutual respect, trust and confidence between members and officers of the Council is fundamental to this protocol. This is essential to good local government and will generate an efficient and unified working Council.

- 2.3 Dealings between members and officers should observe reasonable standards of courtesy. Neither party should seek to take unfair advantage of their position or exert undue influence on the other.
- 2.4 Whilst the duties and responsibilities of members and officers are different, both are bound by the same framework of statutory powers and duties. It is fundamental to the efficient and effective operation of the Council that both understand the boundaries of their respective roles and that neither asks the other to step beyond those limits.
- 2.5 It is not the role of members to control the day-to-day management of the Council and they should not seek to give instructions to officers other than in accordance with their portfolio or the terms of reference of their committee (for committee chairs).
- 2.6 Members are not authorised to initiate or certify financial transactions or to enter into a contract on behalf of the Council.
- 2.7 Members and officers must avoid taking actions which are unlawful, financially improper or likely to amount to maladministration. Members have an obligation under the Code of Conduct, when reaching decisions, to have regard to advice given by the Section 151 Officer or Monitoring Officer when they are discharging their statutory duties.
- 2.8 Members must respect the impartiality of Officers and do nothing to compromise it, e.g. by insisting that an Officer change their professional advice.
- 2.9 Members are not prevented from discussing issues with officers or promoting a particular point of view. Whilst officers will consider the views / advice of members they are not, in any way, compelled to provide advice which coincides with the member's view or preferred position. Any unreasonable requests by a member to an officer to change their professional recommendation will constitute unacceptable undue pressure which is not permissible.
- 2.10 All members and officers have certain basic responsibilities and obligations. There are, however, some members and officers who, either because of statute or decisions of the Council, have extended roles and additional responsibilities. Some Members hold positions of responsibility such as the Leader and Group Leaders, Portfolio Holders, Lead Member for Childrens Services, the Chair and Vice Chair of Council, Chairs and Vice-Chairs of Committees/Working Groups. The Statutory Officers are the Head of Paid Service (Chief Executive), the Chief Financial Officer (Section 151 Officer) and the Monitoring Officer, and in addition the Director of Childrens Services, Director of Adult Social Services and Director of Public Health. Their roles are defined by statute and within the Council's Constitution and officers and members will have regard to the nature of these statutory roles.
- 2.11 As a matter of general principle, members and officers will:

- Deal with one another without discrimination
- Observe normal standards of courtesy in their dealings with one another
- Not take unfair advantage of their position
- Promote a culture of mutual respect
- Communicate clearly and openly, avoiding ambiguity and opportunities for misunderstandings
- Work together to convert the Councils core values and priorities into practical policies for implementation for the benefit of the whole of West Surrey
- [Observe any advice relating to publicity during any pre-election period]
- Refer any observed instances of inappropriate behaviour as necessary

2.12 Members must not be personally abusive to, or derogatory of officers in any correspondence, or during any meeting or discussion, in particular when this takes place in public, whether or not that individual is in attendance. Officers will likewise treat members with respect at all times.

2.13 Members should not criticise or raise matters relating to alleged conduct or capability of an officer at meetings of the Council, Executive, Committee or any other public forum (including on Social Media). This is a long standing tradition in public service as an officer has no means of responding to criticisms in public.

2.14 Officers should not raise with a member matters relating to the conduct or capability of another officer or to the internal management of a service in a manner which is incompatible with the overall objectives of this Protocol.

2.15 Nothing in this Protocol shall prevent an officer making a protected disclosure under the Whistleblowing Policy.

2.16 If an officer feels that they have been treated improperly or disrespectfully by a member they should raise the matter with the Monitoring Officer, relevant Director or the Chief Executive as appropriate. In these circumstances, the Chief Executive, Monitoring Officer or Director will take appropriate action, including approaching the member concerned, and raise the issue with the Group Leader (if applicable) or refer the matter to the Monitoring Officer where there is a potential breach of the Code of Conduct.

2.17 When a member feels that they have been treated improperly by an officer, they should speak to the relevant line manager in the first instance. If the matter is not addressed, then it should be escalated upwards to the relevant Director and /or Chief Executive.

3. Personal Relationships

- 3.1 Guidance on personal relationships is contained within the Codes of Conduct.
- 3.2 Provided these guidelines are observed there is no reason why there should not be an informal atmosphere between Members and Officers outside formal meetings and events.
- 3.3 It is clearly important that there should be a close working relationship between Portfolio holders, Opposition Group Leaders and spokesmen, Committee Chairmen and the relevant Director and other senior officers. However, such relationships should never be allowed to become so close, or appear to be so close, as to bring into question any individual's ability to deal impartially with others.
- 3.4 Both members and officers will need to be aware of the potential for conflicts of interest and take steps to either avoid or mitigate the position. The Monitoring Officer should be consulted in these circumstances.
- 3.5 Any family relationships between members and officers (e.g. parent/child, spouse/partner etc) must be disclosed as soon as reasonably practicable to the Chief Executive who will decide how far this needs to be disclosed to others.
- 3.6 Political Group Leaders should promote a positive atmosphere of trust, respect and understanding between members and officers and must be prepared to deal with and resolve any reported incidents of breaches of this Protocol by their Group members. In the event of a complaint being made to them under this Protocol, a Political Group Leader will seek to actively consider the complaint and achieve a satisfactory outcome. The outcome must be reported to the Officer who notified them of the complaint.

4. **Role of Members**

- 4.1 Collectively, members are the ultimate policy makers determining the core values of the Council and approving the policy framework, strategic plans and budget. Their role is complex, requiring them to act simultaneously in the following capacities:-
- 4.2 *As Council / Portfolio Holder / Committee Members* – Members will provide leadership and take responsibility for the authority's decisions and activities. Members have responsibility for the performance, development, continuity and overall wellbeing of the organisation as well as overseeing governance.
- 4.3 *As Representatives* – Members are community leaders who interpret and express the wishes of the electorate and are accountable to the electorate for service priorities, allocation of resources and ultimate performance. The Member represents the interests of their Ward and is an advocate for their constituents.
- 4.4 *As Politicians* – Members may belong to a Political Group represented on the Council and, if so, may express political values and support the policies of the Group to which they belong.
- 4.5 Officers can expect members to

- Provide political leadership and direction.
- Initiate and develop policy to be put before Council or the Executive.
- Work in partnership, understanding and supporting their respective roles, workloads and pressures.
- Take corporate responsibility for policies and other decisions made by the Council.
- Prepare for formal meetings by considering all written material provided in advance of the meeting.
- Leave day to day managerial and operational issues to officers.
- Adopt a reasonable approach to awaiting officers' timely responses to calls and / or correspondence.
- Not send emails to multiple officers regarding the same issue, instead utilising one point of contact where possible.
- Use their position with officers appropriately and not seek to advance their personal interests or those of others to influence decisions improperly.
- Respect the dignity of officers and not engage in behaviour which could be reasonably regarded as bullying or harassing in nature.
- Have regard to the seniority and experience of officers and equally having regard to the potential vulnerability of officers at junior levels.

4.6 It is permissible and sensible for members to seek straightforward factual information from officers, and to seek the views of appropriately qualified officers as to technical or professional matters. However, if there is anything contentious or which relates to a matter requiring a complex opinion or value judgement, this should be directed to the relevant Director or Chief Executive.

4.7 [When serving on the Council's Planning Committee members must observe the Planning Protocol.]

4.8 Whilst members should always act in the public interest, there is nothing preventing them as politicians, from expressing the values and aspirations of the Political Group to which they belong.

4.9 As a matter of courtesy, it is expected that members involved in an issue in another member's ward will speak with the relevant ward member(s) to inform them of their involvement.

5. Role of Officers

5.1 In broad terms officers have the following main roles:

- Set and implement strategies to deliver Council policy and further the Council's priorities.
- Day to day operational management of the organisation.
- Implement decisions of the Council which are lawful and which have been properly approved.
- Give members advice on issues and the business of the Council to enable them to fulfil their roles. In doing so, officers will take into account all relevant factors and demonstrate political sensitivity.
- Manage the services for which they have been given responsibility within the framework of responsibilities given to them under the Scheme of Delegation.
- Be accountable for the efficiency and effectiveness of the services in which they work and demonstrate proper / professional practice in discharging their responsibilities.
- Provide advice on changes in government policy for which the Council is responsible.
- Be professional advisors to the Council, its political structures and members in respect of their service - as such, their professionalism should be respected.
- Initiate policy proposals in line with national government requirements or council agreed priorities as well as implementing the agreed policies of the Council.
- Ensure that the Council always acts in a lawful manner and does not engage in maladministration.
- Officers may only support members in their role within the Council and must not engage in actions incompatible with this Protocol. In particular, there is a statutory limitation on some officers' involvement in political activities.

5.2 Members can expect officers to:

- Undertake their role in line with their contractual and legal duty to be impartial.
- Exercise their professional judgement in giving advice and not be influenced by their own personal views.
- Have an appreciation of the political environment in which they work and demonstrate political sensitivity.
- Assist and advise all parts of the Council, officers must always act to the best of their abilities in the best interests of the authority and the residents of the district.

- Be alert to issues which are, or are likely to be, contentious or politically sensitive and to be aware of the implications for members, the media or other sections of the public.
- Maintain due confidentiality.
- Behave in a professional manner and comply with the Officer Code of Conduct.
- Be helpful and respectful to members.
- Respond in a timely manner to telephone calls, email correspondence etc.

5.3 In their dealings with the public, officers should be courteous and act with efficiency and timeliness.

5.4 In advising members of the Council, officers should be able to give honest and impartial advice without fear or favour from members. Officers must serve all members, not just those of any majority Political Group, and must ensure that the individual rights of all members are respected.

5.5 Subject to the Council's whistleblowing policy, officers should respect a member's request for confidentiality when dealing with any legitimately delicate matter and members should respect an officer's request that a matter be kept confidential. Where confidentiality is requested, any written reply to a member should not be copied to any other member without the original member's permission, except to comply with an unavoidable legal or professional obligation.

6. The Council as Employer

6.1 Officers are employed by the Council as a whole. Members roles are limited to the appointment of specified senior posts in accordance with the Staff Employment Procedure Rules and they should not act to influence recruitment decisions outside these roles.

6.2 If participating in the appointment of senior officers, members should:

- Remember that the sole criteria is merit
- Never canvass support for a particular candidate
- Not take part where the candidate is a close friend or relative
- Not be influenced by personal knowledge of candidates
- Not favour a candidate by providing them with information not available to other candidates

7. Members' Constituency Role and Individual Employees

7.1 A Member may be asked for advice and support by an employee who is one of their constituents. Employees are entitled to seek such assistance in the same way as any other member of the public. However, Members should be careful not to prejudice the Council's position in relation to disciplinary procedures or employment matters in respect of an employee. A Member approached for help in such circumstances should seek to direct employees to other sources of help, such as Human Resources, and not become directly involved. If a Member is unsure, the Monitoring Officer can offer advice on who to speak to.

8. Support Services to Members and Party Groups

8.1 Members are provided with ICT (information and communication technology) equipment and support services (e.g., printing, photocopying etc.) to enable them to better perform their policy and constituency role as Councillors.

8.2 Members should not use – and Officers should not provide - such equipment and support services in connection with party political or campaigning activity or for purposes not related to Council business.

8.3 Except that

- limited private photocopying may be undertaken provided it is at no cost to the Council; and
- IT equipment may be used for non-commercial purposes provided it does not cause a conflict with, or risk to, Council systems, nor increase the support required from Officers.

9. Decisions

9.1 Before any formal decisions are taken members will have regard to professional advice from officers. They are not obliged to follow that advice, simply to consider it before reaching a decision.

9.2 Officers taking decisions under delegated powers must consider whether the relevant Portfolio Holder, Political Group Leader, Committee Chair or Ward Member should be consulted based on the issue and taking into account political or corporate sensitivities (see below on consultation with Ward Members).

- Where the matter falls under the responsibility of that Portfolio or Chair's committee
- Where the matter relates to that ward

9.3 Where officers have delegated authority to take certain actions by the Executive or a Committee in consultation with a member, it is the officer who takes the action and is responsible for it and no member should apply inappropriate pressure on the officer in respect of their decision.

10. Officers and Whole Council

10.1 Officers are required at all times to serve the whole Council and provide support

regardless of political affiliation and will need to exercise judgement in fulfilling this obligation, whilst maintaining the distinction between executive and scrutiny functions. Members must recognise this obligation on Officers.

11. Officers and Executive Portfolio Holders

- 11.1 Any decision by an individual Portfolio Holder (if an Executive scheme of delegation is in place) or collective decision by the Executive should be supported by written advice from the appropriate Officer(s). An Officer's obligation to the whole Council requires that such advice is independent and Members must not seek to suppress or amend any aspect of such professional advice.
- 11.2 Officers may be representing the decisions (internally and externally) of a single party Executive or an individual Portfolio Holder. Other Members will need to recognise that, in so doing, the Officer is representing an executive decision of the Council.

12. Officers and Political Party Groups

- 12.1 There is statutory recognition for political groups and it is common practice for such groups to give preliminary consideration to matters of Council business in advance of consideration by the relevant Council body.
- 12.2 On the invitation of a Group Leader, a Director or his/her nominee may attend a Group meeting to give factual information about an issue which is currently being or will shortly be debated by a Council body, provided that:
- the meeting is held on Council premises;
 - notice of attendance is given to the appropriate Director and made available on request to the other Group Leaders;
 - the Chief Executive and Monitoring Officer are advised of such attendance.
- 12.3 Officer support in these circumstances must not extend beyond providing information in relation to matters of Council business. Officers must not be involved in advising on matters of party business. The observance of this distinction will be assisted if Officers are not expected to be present when matters of party business are discussed.
- 12.4 Group meetings, while they form part of the preliminaries to Council decision making, are not empowered to make decisions on behalf of the Council. Conclusions reached at such meetings are not Council decisions and it is essential that they are not interpreted or acted upon as such.
- 12.5 Similarly where Officers provide information and advice to a Group in relation to a matter of Council business this cannot act as a substitute for the Officer providing all necessary information and advice to the relevant Council body when the matter is considered.
- 12.6 Officers will not normally attend and provide information to any political party group meeting which includes non-Council members. Exceptions to this may be approved by the Chief Executive who shall do so in writing and copy the

correspondence to all the political Group Leaders.

- 12.7 In all dealings with Members, in particular when giving advice to political party groups, Officers must demonstrate political impartiality and must not suppress their professional advice in the face of political views.
- 12.8 Officers must respect the confidentiality of any political party group meeting at which they are present. They must not relay the content of any such discussion to another party group.
- 12.9 Any particular cases of difficulty or uncertainty in this area of Officer advice to political party groups should be raised with the Chief Executive who will discuss with the relevant Group Leader(s).

13. Officers and Individual Members

- 13.1 Any Group Leader, Portfolio Holder or Committee Chair may request a private and confidential briefing from a Director on matters of *policy* which have already been or may be discussed by the Council within its decision-making or advisory process. All requests should be made to the appropriate Corporate Director who should invite the Monitoring Officer or his/her nominees to attend if appropriate. Briefings shall remain strictly confidential and are not to be shared with other Members of the Council unless so permitted by the relevant Member.
- 13.2 Except for the confidential *policy advice* referred to above, where possible *information* will be shared among political group representatives. In particular, Overview & Scrutiny is a cross-party process involving all political groups represented on the Council. *Information* supplied to Overview & Scrutiny Chairs will therefore be shared as a matter of course with each of the political groups.
- 13.3 Individual Members may request the Chief Executive or Director to provide them with factual information. Such requests must be reasonable, and must recognise the need for Officers to maintain the distinction between the executive and scrutiny processes. The relevant Executive members, Committee or Overview & Scrutiny Committee Chairman and the Opposition Spokespersons will, unless it is of a minor nature, be advised that the information has been given and, on request, will be supplied with a copy.
- 13.4 If a Director considers the cost of providing the information requested - or the nature of the request - to be unreasonable, he/she shall seek guidance from the Monitoring Officer as to whether the information should be provided. Where necessary, the Leader in consultation with the other Group Leaders, will determine whether the information should be provided.
- 13.5 Confidential information relating, for instance, to casework should not normally be sought. If in exceptional circumstances Members wish to discuss confidential aspects of an individual case, then they shall first seek advice from the Director and follow appropriate guidance.
- 13.6 Finally, any Council information provided to a Member must only be used by the Member for the purpose for which it was provided (i.e. in connection with the proper performance of the Member's duties as a member of the Council).

This point is emphasised in the Code of Conduct.

14. Officers and Non-Council Elected Representatives

- 14.1 Directors may be requested to meet with Councillors or Elected Representatives from other Councils or organisations to provide briefings and/or policy advice.
- 14.2 Any Director requested to attend a meeting of this nature which is not held on a cross-political party basis must obtain the prior authorisation of the Chief Executive who shall inform all Group Leaders of the arrangements.

15. Media Relations

- 15.1 A primary intention of the Government in introducing executive arrangements was to raise the public and media profile of Portfolio Holders and to make the Executive directly accountable for decisions taken. It follows that media presentation and media support will reflect this. Advice to the Executive and Portfolio Holders in relation to the media will be provided on a confidential basis if requested.
- 15.2 Overview & Scrutiny Chairs shall ensure that all media statements relating to the scrutiny function have the support of the relevant Overview & Scrutiny Committee. Any such statements must be consistent with the Council's intent that the scrutiny function shall help to achieve a culture of continuous improvement throughout the Council.
- 15.3 Any Officer assisting a Member with media relations must act at all times in the interests of the whole Council and in a politically impartial manner. Other than factual statements, Members should not seek assistance from an Officer with the preparation or issue of any media statement that will adversely affect the reputation of the Council.

16. Local Members / ward matters

- 16.1 The Council via the relevant Officer(s), and / or Portfolio Holder, will keep local members fully informed about significant operational matters on which they may be required to make decisions or which affect their electoral wards.
- 16.2 Senior officers will ensure that all relevant staff are aware of the requirement to keep local members informed and that, subject to paragraph 16.3 below, the timing of such information allows local members to respond appropriately and contribute to relevant decisions.
- 16.3 Any notification under this protocol should include sufficient detail to enable the local member(s) to have a broad understanding of the issue including a summary of advantages and disadvantages of any proposal and any financial implications.
- 16.4 Where lawful and practicable, unless exceptional circumstances are present, communication of such information to local members will be made seven days before external publication by the council of that same information. During the period between being alerted about significant information affecting their ward which is to be published and the time/date of publication, the local member

shall keep confidential the information imparted and not disclose or publicly comment on it further, either directly or via social media or external media without the agreement of the Chief Executive.

- 16.5 Local members must be informed by the relevant Council officers of the formative stages of policy development as it affects their ward. This includes any consideration of the matter by working parties, internal boards or committees of the Council. It should be noted that passing on information to members in this way may come directly from officers across the Council.
- 16.6 Issues may affect a single electoral ward but others may have a wider impact in which case a wider number of members will need to be kept informed. The Communications team will, under the direction of the Chief Executive, share all significant Council news releases which affect the wider West Surrey area or a number of electoral wards with members when they are published externally.
- 16.7 Whenever a public meeting is organised by the Council to consider a local issue all the members representing the electoral wards affected should as a matter of course be invited to attend the meeting.
- 16.8 Whenever the Council undertakes any form of consultative exercise the local members must be included.
- 16.9 [In dealing with Town or Parish Councils, officers should endeavor to copy ward members into correspondence. Likewise, officers may advise Town and Parish Councils to ensure that Ward members are provided with information relative to their role. This will need to be considered on a case by case basis to avoid creating an unnecessary administrative burden on officers.]
- 16.10 Where a news release specifically relates to a significant issue affecting a particular ward or geographical area, the local Member(s) will be advised by email, or telephone as appropriate and sent a copy. when it is published on the Council's official news channels and/or shared with the local media.
- 16.11 The local member's name will where appropriate, be shared with media as a potential contact for comment and the Communications Team will offer advice and guidance in the usual way, seeking a quote from the local member in advance of the release if appropriate and providing advice for dealing with any retrospective approach for further comment from the media. Members are encouraged to take part in regular training on the use of social media.

17. Member Training

- 17.1 Members are expected to embrace the principles of personal development and skill training and ensure they allocate time to participate in all the necessary training and personal development activities. This includes the necessary skills to take advantage of the ICT facilities made available to them.
- 12.2 Officers will work with individual members to produce a personal development plan, seek to ensure resources are available to fulfil the actions agreed in the plan and provide appropriate training to ensure that all members have the skills needed to fulfil their duties.

Other Codes, Protocols and Policies that should be referred to:

Member Code of Conduct

Employee Code of Conduct [to be agreed]

Access to Information Procedure Rules

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West Surrey Shadow Authority		
Report title: Governance of the Review and Preparation of the Constitution		
Report to: Constitution Sub Committee Standards Committee Shadow Authority		
Date: 27 August 2026 2 September 2026 23 September 2026		
Executive Portfolio Holder: Cllr Victoria Kiehl		
Report of: Susan Sale, Monitoring Officer (interim)		
Report author(s): Susan Sale, Monitoring Officer (interim)		
Wards affected: All Ward councillors informed: No		
Exempt from publication: No		
Key Decision: No	If a Key Decision, date registered on Forward Plan: N/A	
Report cleared for publication by:		
People Workstream	N/A	N/A
Equalities Impact Assessment complete	N/A	N/A
Implementation Team Leader (or their delegate)	N/A	N/A
S151 Officer	Susan Sale on behalf of Vicky Radford	14 August 26
Monitoring Officer	Susan Sale	14 August 26
Executive Portfolio Holder consultation	Cllr Victoria Kiehl	14 August 26
Sub Committee Chair consultation	Cllr Jo Shaw	14 August 26

Head of Paid Service	Susan Sale on behalf of Andy Brown	14 August 26
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1. Executive Summary

- 1.1** The West Surrey Shadow Authority has established a Standards Committee and a Constitution Sub Committee of the Standards Committee.
- 1.2** The primary purpose of the Constitution Sub Committee is to keep under review the Shadow Authority's Constitution, make recommendations for change where appropriate and prepare a post Vesting Day version of the constitution for West Surrey Council.
- 1.3** Initial feedback from the Monitoring Officer and the members of the Constitution Sub Committee is that the governance arrangement is too inflexible and constraining, and that more efficient operation could be achieved by way of a Constitution Working Group.

2 Recommendations:

- 2.1** That the Constitution Sub Committee resolves to recommend to the Standards Committee that they:
 - 2.1.1** **Subject to the resolution of Council to disband the Constitution Sub Committee, establish a Constitution Working Group with immediate effect, with the same membership, for the same purpose, with the same Chair and Vice Chair as the Constitution Sub Committee, and with the terms of reference as in appendix 1 to this report; and**
 - 2.1.2** **Recommend to Council that they resolve to**
 - 2.1.2.1** **Disband the established Constitution Sub Committee of the Standards Committee and note that the Standards Committee will with immediate effect establish a Constitution Working Group with the same membership and for the same purpose, with the terms of reference as in appendix 1 to this report; and**
 - 2.1.2.2** **Delegate to the Monitoring Officer the authority to amend the constitution to reflect any consequential changes arising from this decision.**

3 Reason(s) for recommendation:

- 3.1** If the members responsible for review and preparation of the Constitution were able to meet as a working group this would maintain sufficiently robust governance whilst enabling agility of decision making.

4 Next steps

- 4.1** The Constitution Sub Committee will make recommendations to the Standards Committee that their Sub Committee is disbanded and they establish a working group in its place.
- 4.2** If the Standards Committee supports the proposals they will recommend to the Shadow Authority that the Sub Committee be disbanded, and the Standards Committee will establish a Working Group with the same membership and same purpose.
- 4.3** Following the resolution of the Shadow Authority, the members will start meeting as a working group.

5 Exemption from publication

- 5.1** This report is not exempt from publication.

6 Background and Proposal

- 6.1** At the inaugural meeting of the West Surrey Shadow Authority, on 21st May 2026, the Council formally adopted the West Surrey Shadow Authority Constitution, as recommended to them by the West Surrey Joint Committee.
- 6.2** The Shadow Authority established a Standards Committee with one of its functions being to advise the Shadow Authority on the development of a Constitution for West Surrey Council. The Constitution further provided that the a Constitutional Sub Committee of the Standards Committee would be established.
- 6.3** The West Surrey Shadow Authority Constitution provides that the Constitution Sub Committee would comprise 7 councillors from the appointment membership of the Standards Committee. It is established for the purpose of keeping the Shadow Authority Constitution under regular review and preparing a constitution for West Surrey Council to be adopted from Vesting Day.
- 6.4** All recommendations of the Constitution Sub Committee are made to the Standards Committee who may determine whether to recommend amendments, alterations, deletions and additions to the Constitution, to Council.

6.5 Both the Standards Committee and the Constitution Sub Committee are constituted under the Local Government Act 1972, which provides certain constraints aimed at upholding transparency, democracy and public engagement. However, such provisions are proving to restrict the agility of the Constitution Sub Committee, which has a significant programme of work to deliver in a relatively short period of time, and must be able to operate efficiently.

6.6 The table below sets out some of the differences between a sub committee and a working group:

Sub Committee	Working Group
Decisions made in a meeting open to the public (unless they are excluded due to exempt information being considered)	The meeting does not have to be accessible to the public
A summons for the meeting needs to be published at least 5 clear working days in advance of the meeting	It is not a legal requirement to publish a summons for the meeting, although adequate notice would be given to members
Items may not be added to the agenda once it is published with the summons, unless they meet the urgency requirement	Agenda items may be added within the 5 days prior to the meeting, although sufficient notice would always need to be given
Reports on agenda items are not required to be published	Reports on agenda items would be circulated to relevant members, but would not be legally required to be published.
Members must be physically present for meetings to be able to vote on matters, leading to substitutes where members cannot attend, leading to a changing group of members working on one definitive constitution	Members unable to attend could participate in a working group meeting by joining remotely, optimising the chance of a consistent group of members working on this project.
Minutes must be produced of meetings, published and agreed as an accurate record	Minutes are not required to be produced or published, although an action log would be maintained.
Procedure Rules are adopted	Terms of Reference are in place but there is more discretion of the Chair to facilitate free discussion rather than formal debate

- 6.7** If the constitution work being undertaken by members were to be undertaken by them meeting as a Working Group rather than a Sub Committee, there would be less opportunity for public engagement, scrutiny and transparency. But the Group is not decision making; it's role is merely to make recommendations to the Standards Committee. The Standards Committee would operate in compliance with the legal requirements of being open and accessible meetings, published agendas and reports, and has the opportunity for the public to attend and ask questions. Sufficiently robust governance arrangements would remain in place should the constitution work be provided to the Standards Committee by a Working Group of their members rather than a Sub Committee.
- 6.8** Enabling members to operate as a Working Group would enable and facilitate a better quality conversation and discussion without being bound by procedure rules and rules of debate. It would also optimise consistency of membership and reduce the need for substitutes if members were able to attend remotely; members are well used to working in a hybrid way and although legislation has not yet been amended to enable this, we are aware that it aligns with the spirit of what the government intends to facilitate in the future. Members have very busy diaries during this shadow period, many are 'double hatters' and the geographical areas of West Surrey for travel is large. More members would be able to commit their time and fully engage with a working group than with a sub committee.

7 Consultation

- 7.1** Consultation has taken place with the Monitoring Officer and the Deputy Monitoring Officers and no objections have been raised.
- 7.2** Informal consultation took place with members of the Constitution Sub Committee at their meeting on 6 August 2026.
- 7.3** Consultation has taken place with Cllr Kiehl, as the relevant portfolio holder.

8 Key Risks

- 8.1** If the group remains as a Sub Committee there is a risk that members may need to give apologies or use substitutes on more occasions, which is not ideal when outcomes of one meeting will feed into and impact the outcomes of the next, as several meeting will work on this one major project.
- 8.2** If the group remains as a Sub Committee, efficiency is unlikely to be optimised as compliance with the Local Government Act provisions would need to be complied with.

- 8.3** If the Group becomes a Working Group, their meetings will not be open to the public and their papers will not be published; but their recommendations will be considered by the Standards Committee at meetings accessible to the public, based on reports and agendas that are in the public domain.

9 Options

- 9.1** Option 1: To disband the Constitution Sub Committee of the Standards Committee and establish a Working Group of the Standards Committee to fulfil the same purpose (Recommended).
- 9.2** To make no changes to the Constitution and leave the Constitution Sub Committee of the Standards Committee fulfilling its existing purposes. (Not Recommended).

10 Issues for consideration

10.1 Financial Implications

- 10.1.1** There are unlikely to be any financial implications arising from the proposal as the same number of meetings would be required with the same officer support regardless of whether there is a Constitution Sub Committee or a Working Group.

10.2 Section 151 Officer Commentary

- 10.2.1** No further comments

10.3 Legal Implications

- 10.3.1** The Standards Committee and the Constitution Sub Committee are established in accordance with section 102 Local Government Act 1972. Section 100A of the Act provides for their meetings needing to be open to the press and public in most circumstances; section 100B provides arrangements for access to reports, agenda and minutes.

10.4 Monitoring Officer Commentary

- 10.4.1** No further comments

10.5 People/Human Resources Implications

- 10.5.1** There are no relevant implications.

10.6 Equality and Diversity Implications

- 10.6.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
 - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 10.6.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 10.6.3 Enabling the constitution work to be undertaken by members attending remotely where necessary or more convenient should promote equalities issues by making participation in the meetings more accessible to members.

10.7 Climate Change and Sustainability Implications

- 10.7.1 Enabling members to attend meetings to undertake the constitution work remotely where convenient or necessary should reduce travel across the area and have a positive impact in terms of climate change.

10.8 Stakeholders Implications

- 10.8.1 If meetings become a Constitution Working Group, there is less opportunity for stakeholder engagement in proposing recommendations to the Standards Committee. But there is ample opportunity for public and stakeholder engagement when the recommendations are considered at the Standards Committee.

11 Overview & Scrutiny Comments

- 11.1 N/A

12 List of Appendices

12.1 Appendix 1: Proposed Terms of Reference for the Constitution Working Group

13 List of Background papers

13.1 West Surrey Shadow Authority Constitution

APPENDIX ONE:

TERMS OF REFERENCE FOR THE CONSTITUTION WORKING GROUP

1.0 Purpose

1.1 The Constitution Working Group is established by the Standards Committee for the purpose of:

- Keeping the Shadow Authority Constitution under regular review; and
- Preparing a constitution for West Surrey Council to be adopted from Vesting Day.

1.2 All recommendations of the Constitution Working Group shall be made to the Standards Committee, who may choose to recommend amendments, alterations, deletions and additions to the Shadow Authority Constitution to the Council.

1.3 In preparing a constitution for West Surrey Council, and recommending as such to the Standards Committee, for their recommendation to the Shadow Authority for adoption, the Working Group shall:

- Consider best practice in local authority constitutions and the governance requirements applicable to West Surrey Council as a unitary authority from Vesting Day;
- Engage with councillors, officers, and members of the public as appropriate;
- Prepare draft articles, procedure rules, codes and other constitutional documents for West Surrey Council;
- Report on progress to the Shadow Authority on a regular basis; and
- Submit a final draft constitution to the Standards Committee by 31 December 2026.

2.0 Composition

2.1 The Constitution Working Group shall comprise of 7 elected members, who must be selected from the 15 members appointed to the Standards Committee. The Working Group should be politically balanced as far as possible.

3.0 Substitutes

3.1 Substitutes may be appointed from within the membership of the Standards Committee.

4.0 Quorum

4.1 The quorum for any meeting of the Constitution Working Group shall be 3 members, who may be in attendance either by being physically present or by remote attendance.

5.0 Chair

5.1 The Constitution Sub Committee shall elect it's own Chair and appoint the Vice Chair. The Chair shall preside over meetings of the Sub Committee and has a casting vote in the case of equality of votes. The Vice Chair shall preside and assume the responsibilities of the Chair, in their absence.

6.0 Frequency of meetings

The working group shall schedule dates, times and locations of their meetings.

7.0 Officer Support

The Monitoring Officer, or their representative, shall attend meetings of the Constitution Working Group in an advisory capacity only and will provide legal and governance support throughout its work.

Officers will use best endeavours to circulate an agenda and reports for meetings of the Constitution Working Group 5 clear days in advance of a meeting, or as soon as possible thereafter.

West Surrey Shadow Authority		
Report title: Proposed Amendment to the Employment Committee Terms of Reference		
Report to: Constitution Sub-Committee		
Date: 27 August 2026		
Executive Portfolio Holder: Cllr. Victoria Kiehl		
Contact Email: Victoria.Kiehl@westsurrey.gov.uk		
Report of Statutory Officer: Susan Sale, Monitoring Officer (interim)		
Contact Email: susan.sale@westsurrey.gov.uk		
Report author(s): Deborah Davies, Deputy Monitoring Officer (interim)		
Contact Email: deborah.davies@westsurrey.gov.uk		
Wards affected: All Ward councillors informed: No		
Exempt from publication: No		
Key Decision: No	If a Key Decision, date registered on Forward Plan: N/A	
Report cleared for publication by:		
People Workstream	N/A	N/A
Equalities Impact Assessment complete	N/A	N/A
Senior Responsible Officer (or their delegate)	N/A	N/A
S151 Officer	Susan Sale on behalf of Vicky Radford	13 August 26
Monitoring Officer	Susan Sale	13 August 26
Executive Portfolio Holder consultation	Cllr Victoria Kiehl	13 August 26
Employment Committee Chair consultation	Cllr Vanessa King	13 August 26
Head of Paid Service	Susan Sale on behalf of Andy Brown	13 August 26

1. Executive Summary

- 1.1** This report proposes an amendment to paragraph 2.1(a) of the Terms of Reference of the Employment Committee contained in Part 3-B3 of the Constitution of West Surrey Council.
- 1.2** The current Terms of Reference provide that the Employment Committee is responsible for:-
- “formulating and recommending to the Shadow Authority policies, terms, and conditions of employment for the employees of West Surrey Council, for adoption before vesting day.”*
- 1.3** It is proposed that the words “recommending to the Shadow Authority” are removed and replaced with “approving”. This will enable the Employment Committee to approve employment policies, terms and conditions without requiring those matters to be referred separately to the Shadow Authority for adoption.
- 1.4** The proposed amendment will align the Employment Committee's Terms of Reference in Part 3-B3 with Part 3A (Responsibility for Functions), which identifies the Employment Committee as the body responsible for employment policy, strategy and terms.

2 Recommendations:

- 2.1** That the Constitution Sub-Committee resolves to recommend that the Standards Committee recommend to the Council:
- (a) that the revised Terms of Reference of the Employment Committee, as set out in Appendix 1, be approved and**
(b) that the Monitoring Officer is authorised to make the necessary amendments to the Constitution.

3 Reason(s) for recommendation:

- 3.1** Part 3A of the Constitution identifies the Employment Committee as the body responsible for employment policy, strategy and terms. The current wording of paragraph 2.1(a) in the Terms of Reference provide that those matters are recommended to the Shadow Authority for adoption, creating an additional approval stage.
- 3.2** The proposed amendment will align the Employment Committee's Terms of Reference with the allocation of responsibility in Part 3A and provide clarity as to the Committee's decision-making role.

- 3.3** If the Shadow Authority were to consider all employment policies, strategies and terms, there would be a need for a greater number of meetings to allow for this additional work.

4 Next steps

- 4.1** Subject to the recommendation of the Constitution Sub-Committee, the proposed amendment will be considered by the Standards Committee.
- 4.2** If endorsed by the Standards Committee, the amendment will be presented to the Shadow Authority for approval.
- 4.3** Subject to the approval by the Shadow Authority, the Monitoring Officer will amend Part 3-B3 of the Constitution accordingly.

5 Exemption from publication

- 5.1** None of this report is exempt from publication.

6 Background and Proposal

- 6.1** The Constitution of West Surrey Council sets out responsibility for the Council's functions in Part 3A and the Terms of Reference of its committees in Part 3-B. Part 3A identifies the Employment Committee as being responsible for employment policy, strategy and terms.
- 6.2** Paragraph 2.1(a) of the Terms of Reference currently requires the Committee to formulate and recommend to the Shadow Authority policies, terms and conditions of employment for adoption before vesting day.
- 6.3** The effect of the current wording is that employment policies, terms and conditions considered by the Employment Committee must subsequently be referred to the Shadow Authority for formal adoption, notwithstanding the allocation of responsibility to the Employment Committee in Part 3A.
- 6.4** It is therefore proposed to amend paragraph 2.1(a) so that it reads:
“formulating and approving policies, terms, and conditions of employment for the employees of West Surrey Council, for adoption before vesting day.”
- 6.5** The amendment will remove the requirement for these matters to be referred separately to the Shadow Authority for formal adoption and align the Committee's Terms of Reference with the Responsibility for Functions set out in Part 3A.

7 Consultation

- 7.1** The proposed change has been considered by the People & Workforce Workstream Leads, the Monitoring Officer (interim) and other relevant officers.
- 7.2** Consultation has also taken place with the Portfolio Holder for Governance, Democracy and Corporate Services and the Chair of the Employment Committee.

8 Key Risks

- 8.1** Retaining the current wording creates a potential lack of clarity between the allocation of responsibility to the Employment Committee in Part 3A and the decision-making process prescribed by its Terms of Reference in Part 3-B3.
- 8.2** Retaining the current wording creates an additional workload for the Shadow Authority and could cause unnecessary delay and additional meetings in order for the work of the Employment Committee to be approved by the Shadow Authority.
- 8.3** The proposed amendment mitigates this risk by aligning the Employment Committee's Terms of Reference with the Responsibility for Functions set out in Part 3A.

9 Options

- 9.1** The Constitution Sub-Committee is asked to consider the proposed amendment and recommend it to the Standards Committee for onward recommendation to the Shadow Authority.
- 9.2** Option 1 – Recommended: Approve the proposed amendment to paragraph 2.1(a) of the Employment Committee Terms of Reference. This will align Part 3-B3 with the allocation of responsibility in Part 3A and remove the requirement for employment policies, terms and conditions approved by the Employment Committee to be referred separately to the Shadow Authority for adoption.
- 9.3** Option 2 – Retain the current wording: The Employment Committee would continue to formulate employment policies, terms and conditions and recommend them to the Shadow Authority for formal adoption. This would retain the existing additional decision-making stage.

10 Issues for consideration

10.1 Financial Implications

- 10.1.1 There are no direct financial implications arising from the recommendations contained in this report.

10.2 Section 151 Officer Commentary

- 10.2.1 No further comments.

10.3 Legal Implications

- 10.3.1 The Constitution provides the framework through which responsibility for the Council's functions is allocated and exercised.
- 10.3.2 Part 3A, identifies the Employment Committee as the body responsible for employment policy, strategy and terms. The proposed amendment aligns the detailed Terms of Reference of the Employment Committee in Part 3-B3 with that allocation of responsibility.
- 10.3.3 The proposed amendment relates only to the decision-making arrangements for the approval of employment policies, terms and conditions. It does not itself amend any employment policy or employees' terms and conditions.

10.4 Monitoring Officer Commentary

- 10.4.1 The proposed arrangements will provide greater clarity for the Council and will ensure that there is no duplication of effort by members.
- 10.4.2 Section 37 of the Surrey (Structural Changes) Order 2006 provides that the Council must take all such practicable steps as are expedient:
(a) to commence and sustain their running as a shadow authority;

(b) to prepare the authority for the assumption, as West Surrey Council, of local government functions and full local authority powers on 1st April 2027

The proposed change to the Constitution would enable the Council to undertake faster decision making in respect of employment issues and this would support the Council's duty under Section 37.

10.5 People/Human Resources Implications

- 10.5.1 There are no direct human resources implications arising from this report.
- 10.5.2 The proposed amendment relates to the governance arrangements for approving employment policies, terms and conditions. It does not itself alter the employment policies, terms or conditions applying to employees.

10.6 Equality and Diversity Implications

- 10.6.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
 - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 10.6.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 10.6.3 This duty has been considered in the context of this report and it has been concluded that there are no equality and diversity implications arising directly from this report.

10.7 Climate Change and Sustainability Implications

- 10.7.1 There are no direct climate change or sustainability implications arising from the recommendations contained in this report.

10.8 Stakeholders Implications

- 10.8.1 The proposed amendment primarily affects the governance arrangements through which employment policies, terms and conditions for West Surrey Council are approved.
- 10.8.2 The amendment will provide greater clarity regarding the decision-making responsibility of the Employment Committee.

11 Overview & Scrutiny Comments

- 11.1 Not applicable.

12 List of Appendices

- 12.1 Appendix 1 – Proposed Amendment to Part 3-B3, Employment Committee Terms of Reference

13 List of Background papers

13.1 West Surrey Council Constitution

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PART 3-B3: TERMS OF REFERENCE OF THE EMPLOYMENT COMMITTEE

These terms of reference are to be read alongside Article 8 of Part 1 and the Employment Procedure Rules in Part 4 of this Constitution.

1.0 Role

- 1.1 The Employment Committee is responsible for discharging or delegating all staffing matters relating to West Surrey Council during the Shadow Period, including the formulation of employment policies, terms and conditions, and workforce planning.

2.0 Functions

- 2.1 The Employment Committee is responsible for:
- a. formulating and approving policies, terms, and conditions of employment for the employees of West Surrey Council, for adoption before vesting day;
 - b. overseeing the development of a workforce strategy for West Surrey Council and ensuring that it is aligned with the Implementation Plan;
 - c. preparation of the annual Pay Policy statement to be agreed by the Shadow Authority.
 - d. overseeing the process of recruitment of the permanent senior workforce of West Surrey Council during the shadow period;
 - e. formulating policies for the management of the transfer of staff from Surrey County Council and the West Surrey councils to West Surrey Council on and from Vesting Day, having regard to the requirements of the Transfer of Undertakings (Protection of Employment) Regulations 2006 and all other applicable legislation;
 - f. with regard to the Head of Paid Service,
 - i. setting the performance objectives,
 - ii. commissioning and undertaking an annual performance review process, and
 - iii. determining the remuneration,
 - g. monitoring the equalities implications of workforce decisions during the Shadow Period; and

- h. such other staffing functions relating to West Surrey Council as the Shadow Authority may delegate to it.

2.2 The Employment Committee has no role in relation to the employees of Surrey County Council or the West Surrey councils, except in respect of employees seconded or otherwise engaged to support the work of the Shadow Authority.

3.0 Membership

3.1 The Employment Committee consists of 15 councillors. The membership of the Employment Committee must include two members of the Shadow Executive.

3.2 Membership will reflect the political composition of the Shadow Authority in accordance with sections 15 to 17 of the Local Government and Housing Act 1989.

3.3 The Chair and Vice Chair will be elected and appointed, as appropriate, by the Committee at its first meeting.

3.4 Quorum: 5 councillors.

4.0 Senior Officer Employment Sub Committee

4.1 The Employment Committee establishes a Senior Officer Employment Sub-Committee.

Functions

4.2 The Senior Officer Employment Sub Committee is responsible for:

- i. undertaking the selection process for, and recommending to the Shadow Authority the appointment of, the permanent Head of Paid Service, Monitoring Officer, and Chief Finance Officer of West Surrey Council in accordance with article 33(2) of the 2026 Order and the Employment Procedure Rules which can be found in Part 4-4 of the Constitution;
- j. undertaking the selection process for such other senior appointments as the Employment Committee may determine; and
- k. such other functions in relation to senior employee appointments as the Employment Committee may delegate to it.

Membership

4.3 The Senior Officer Employment Sub Committee consists of 7 councillors, appointed from the membership of the Employment

Committee, including the Chair of the Employment Committee. The Sub Committee must include one member of the Shadow Executive

4.4 Quorum: 3 councillors.

5.0 Investigating and Disciplinary Sub Committee

5.1 The Employment Committee establishes an Investigating and Disciplinary Sub Committee.

Functions

5.2 The Investigating and Disciplinary Sub-Committee conducts disciplinary proceedings in relation to the Head of Paid Service, Monitoring Officer, and Chief Finance Officer of West Surrey Council in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001 as amended by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015, and in accordance with the Employment Procedure Rules in Part 4-4 of this Constitution.

Membership

5.3 The Investigating and Disciplinary Sub Committee consists of 5 councillors, appointed from the membership of the Employment Committee. It must include at least one member of the Shadow Executive.

5.4 Quorum: 3 councillors.

6.0 Independent Persons Panel

6.1 The Shadow Authority establishes an Independent Persons Panel.

Role

6.2 The Independent Persons Panel provides the statutory independent element required under the Local Authorities (Standing Orders) (England) Regulations 2001 as amended. Its role is to consider any proposal for dismissal of the Head of Paid Service, Monitoring Officer, or Chief Finance Officer of West Surrey Council arising from the Investigating and Disciplinary Sub-Committee's recommendation. The Independent Persons Panel will review the Investigating and Disciplinary Sub Committee's recommendation and prepare a report for a meeting of the Shadow Authority.

Membership

- 6.3 The Independent Persons Panel consists of not fewer than 2 persons who are independent within the meaning of the 2001 Regulations as amended. Members of the Panel are not councillors nor employees.

7.0 Appeals Sub-Committee

- 7.1 The Employment Committee establishes an Appeals Sub-Committee.

Functions

- 7.2 The Appeals Sub-Committee hears appeals by the Head of Paid Service, Monitoring Officer, or Chief Finance Officer of West Surrey Council against any disciplinary decision of the Investigating and Disciplinary Sub Committee short of dismissal imposed by the Investigating and Disciplinary Sub Committee and takes a decision either to confirm the action or to impose no sanction or a lesser sanction.

Membership

- 7.3 The Appeals Sub-Committee consists of 5 councillors, none of whom were involved in the original disciplinary proceedings. A member of the Shadow Executive must be a member of the Appeals Sub-Committee.

WEST SURREY SHADOW AUTHORITY
CONSTITUTION SUB COMMITTEE OF THE STANDARDS COMMITTEE

WORK PROGRAMME

August 2026 – December 2026

Meeting Date	Number of Items	Feeding Into
6 August 2026	5	Standards Committee 02/09/2026 and Shadow Authority 23/09/2026 (if required)
27 August 2026	5	Standards Committee 02/09/2026 and Shadow Authority 23/09/2026 (if required)
17 September 2026	7	Standards Committee 02/11/2026 and Shadow Authority 19/11/2026 (if required)
8 October 2026	6	Standards Committee 02/11/2026 and Shadow Authority 19/11/2026 (if required)
29 October 2026	10	Standards Committee 02/11/2026 and Shadow Authority 19/11/2026 (if required)
3 December 2026	6	Standards Committee 15/12/26 and Shadow Authority 17/02/2027 (for adoption)

Meeting Date	Item	Description	Portfolio Holder	Lead Officer	Contact
6 August 2026	Council Procedure Rules	To Consider particular issues within the Council Procedure Rules that require member engagement eg questions, motions, statements, opposition business	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
6 August 2026	Gifts & Hospitality Policy	To consider a Policy to support the provisions in the Member Code of Conduct	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
6 August 2026	Member Conduct Complaints Procedure	To consider arrangements for dealing with allegations that a Member has breached the Code of Conduct for Members	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
6 August 2026	Social Media Policy for Members	To consider a Social Media Policy for Members to be included in the Constitution	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies

6 August 2026	<u>Standing Item:</u> Responses to shadow authority member raised issues	Participation in Committee by non Committee members and seating arrangements (Cllr Hulley); Chairs and Vice Chair roles eg for O&S Committee (Cllr Austin); and Remote attendance by committee members to debate but not vote (Cllr Macdonald)	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
27 August 2026	Review of Constitution Sub Committee	Proposal for the Constitution Sub Committee to become a Working Group of the Standards Committee rather than a Sub Committee	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
27 August 2026	Proposed Scrutiny Structure	High level consideration of an initial future Post Vesting Day design	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
27 August 2026	Review of Member Code of Conduct and Member Officer Protocol	Consideration of the current and future Code of Conduct for members and also of the Protocol for relationships between Members and Officers	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
27 August	Review of Employment Committee TOR	Consideration of the Employment Committee having the ability to approve employment policies without the need for Council approval	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
27 August 2026	<u>Standing Item:</u> Responses to shadow authority member raised issues		Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
17 September 2026	Financial Procedure Rules – High Level Principles	To consider the High Level Principles for the Financial Procedure Rules for post Vesting Day	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies

17 September 2026	Contract and Procurement Procedure Rules – High Level Principles	To consider the High Level Principles for the Contract & Procurement Procedure Rules for post Vesting Day	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
17 September 2026	Council Procedure Rules (1)	Review of the Council procedure Rules for post Vesting Day relating to 'Before the Meeting Rules' and 'At the Meeting Rules'.	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
17 September 2026	Responsibility for Functions	Review of additional governance requirements for post vesting day to be included in the non-executive functions section, review of local choice functions and agree where new functions sit, and review of executive functions	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
17 September 2026	Officer Decision Making Protocol	To agree a protocol for post vesting day regarding the process of officers making decisions under their delegated authority and publication and call in of such decisions	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
17 September 2026	Review of Proper Officer designations	Review of Proper Officer designations during the shadow period to designate a scrutiny officer who is not the MO to align with good practice	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
17 September 2026	<u>Standing Item:</u> Responses to shadow authority member raised issues		Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
8 October 2026	Petition Scheme	To consider public engagement with West Surrey Council and in particular developing a Petition Scheme if required	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies

8 October 2026	Council Procedure Rules (2)	Review of the Council Procedure Rules for post Vesting Day relating to 'Debate' and 'Decision Making'.	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
8 October 2026	Review of Audit & Governance Committee	Review of terms of reference and procedure rules for post vesting day	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
8 October 2026	Review of Employment Committee	Review of terms of reference and procedure rules for post vesting day	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
8 October 2026	Articles	Review of the articles of the constitution to ensure fit for purpose for post Vesting Day	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
8 October 2026	<u>Standing Item:</u> Responses to shadow authority member raised issues		Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
29 October 2026	Council Procedure Rules (3)	Review of the Council Procedure Rules for post Vesting Day relating to 'Special Business' and 'After the Meeting'.	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
29 October 2026	Budget Procedure Rules	To consider formal adoption of specific Budget Procedure Rules to be used in place of the usual Shadow Authority Procedure Rules for the SA Budget meeting	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
29 October 2026	Budget and Policy Framework Rules	To review the existing Budget and Policy Framework Rules in Part 4 to ensure they are fit for purpose for post vesting Day	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
29 October 2026	Post Vesting Day Scrutiny Arrangements	Detailed design of future Scrutiny arrangements post Vesting Day	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies

	Scrutiny Function				
29 October 2026	Planning Function	To agree terms of reference, procedure rules and codes of practice for a post Vesting Day Planning function to ensure compliance with statutory guidance and good practice	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
29 October 2026	Licensing Function	To agree terms of reference, procedure rules and codes of practice for a post Vesting Day Licensing function to ensure compliance with statutory guidance and good practice	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
29 October 2026	Company Governance Protocol	For post vesting day constitution to agree arrangements for dealing with any companies that WS has an interest in, whether transferring to them, shared ownership or hosted.	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
29 October 2026	Financial Procedure Rules	To consider proposed new Financial Procedure Rules for post Vesting Day	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
29 October 2026	Contract & Procurement Procedure Rules	To consider proposed new Contract & Procurement Procedure Rules for post Vesting Day	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
29 October 2026	<u>Standing Item:</u> Responses to shadow authority member raised issues		Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
3 December 2026	Consideration of any additional governance arrangements including joint	To consider any specific governance arrangements that may be required for specific functions post vesting day eg. Joint with ESC, Pension body, Fire and Rescue body, Community Safety Boards, Health Boards etc	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies

3 December 2026	Appointments to Outside Bodies	To consider what outside bodies WSC may make appointments to, which are executive functions and which are not and agree a protocol for post vesting day regarding appointments, roles and remits.	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
3 December 2026	Officer Scheme of Delegations	To develop a high level Officer Scheme of Delegations for post vesting day	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
3 December 2026	Scheme of Delegation to Executive Members	To develop, in consultation with the Leader, a high level Executive Scheme of Delegations to Executive Members for Post vesting Day	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
3 December 2026	Review of Proper Officer designations for the Shadow Period	To review the Proper Officer Designations and develop them for post Vesting Day	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies
3 December 2026	<u>Standing Item:</u> Responses to shadow authority member raised issues		Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Davies