



Committee: COUNCIL BUSINESS COMMITTEE

Date: THURSDAY, 5 NOVEMBER 2015

Venue: MORECAMBE TOWN HALL

Time: 6.00 P.M.

A G E N D A

1. **Apologies for Absence**

2. **Minutes**

Minutes of meeting held on 25th June, 2015 (previously circulated).

3. **Items of Urgent Business Authorised by the Chairman**

4. **Declarations of Interest**

To receive declarations by Members of interests in respect of items on this Agenda.

Members are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 10 and in the interests of clarity and transparency, Members should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Members are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

5. **Use of Council Email Addresses for Council Business** (Pages 1 - 9)

Joint report of the Chief Officer (Governance) and Chief Officer (Resources)

6. **Committee Timetable 2016-17** (Pages 10 - 14)

Report of the Chief Officer (Governance)

7. **Recording of Attendance, Apologies and Absences at meetings** (Pages 15 - 18)

Report of the Chief Officer (Governance).

8. **Urgent Business: Substitute Members for Overview and Scrutiny** (Pages 19 - 20)

Report of the Chief Officer (Governance).

9. **Appointments to Committees and Changes to Membership**

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Janet Hall (Chairman), Andrew Warriner (Vice-Chairman), Sam Armstrong, Eileen Blamire, Tracy Brown, Joan Jackson and Roger Mace

(ii) Substitute Membership

Councillors Susie Charles (Substitute), Terrie Metcalfe (Substitute), Abi Mills (Substitute), Susan Sykes (Substitute) and David Whitaker (Substitute)

(iii) Queries regarding this Agenda

Please contact Debbie Chambers, Democratic Services - 01524 582057 or email dchambers@lancaster.gov.uk.

(iv) Changes to Membership, substitutions or apologies

Please contact Democratic Support, telephone 582170, or alternatively email democraticsupport@lancaster.gov.uk.

MARK CULLINAN,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER LA1 1PJ

Published on Wednesday, 28th October, 2015.

COUNCIL BUSINESS COMMITTEE**Use of Council Email Addresses for Council Business
5 November 2015****Joint Report of Chief Officers (Governance) and
(Resources)****PURPOSE OF REPORT**

To endorse the restriction of using only council email addresses for council business.

This report is public

RECOMMENDATIONS

1. That the continuation of the existing policy based on best practice be endorsed, whereby members' council email addresses must be used for any council business conducted via email, rather than personal email addresses being used.
2. That subject to the above, it be noted that officers will be instructed, when corresponding with members by email, to use a member's council email address only.

1 Background

- 1.1 All Council Members have signed up to the Members' Computer Usage Agreement Policy which includes: "Members are provided with an email address, in the form {name}@lancaster.gov.uk, for the purpose of conducting council business. Confidential council information must not be forwarded to personal email accounts (see ICT Best Practice Guide – *Reasons not to use personal email for work purposes*)." The guide is attached to this report.
- 1.2 It has been highlighted that some Members would like to use [or continue to use] their own personal email addresses to conduct council business, hence this report. Furthermore, ahead of Officers implementing measures to stop and/or prevent any extension or continuation of the use of personal email for council business, it makes sense to seek endorsement of good practice from this Committee.
- 1.3 Notwithstanding those intentions, Officers do understand that in simple convenience terms, using just one email account for both personal and work matters may seem attractive to some.

- 1.4 There are some major legal and practical matters that prevent such a solution being appropriate, however, and these are outlined in this report.
- 1.5 In the past, in exceptional circumstances, it is acknowledged that the limited use of personal email accounts has been allowed but this was only to help address extraordinarily difficult circumstances and it required additional considerations and processes to be put into place. It was not a permanent arrangement for consistent use across the Council.

2 Data Protection Act and Freedom of Information Act Considerations

- 2.1 The Data Protection Act lists 8 principles that require data to be:
 - used fairly and lawfully
 - used for limited, specifically stated purposes
 - used in a way that is adequate, relevant and not excessive
 - accurate
 - kept for no longer than is absolutely necessary
 - handled according to people’s data protection rights
 - kept safe and secure
 - not transferred outside the UK without adequate protection
- 2.2 In addition, the Council is legally obliged to provide information when it is requested under certain Acts, such as the Data Protection Act and the Freedom of Information Act.
- 2.3 If all emails are processed through work systems it makes the job of management and retrieval relatively straightforward and therefore compliance is relatively straightforward and cost-effective. Where communications are sent through third party software (including personal email accounts) they would also come in scope under the Acts and so communications sent through them would need to be managed and reported accordingly. In such a situation, however, the Council would have no way of being able to do so, as it would have no knowledge or reporting capability to interrogate such third party systems / personal email accounts, and no way of controlling the associated data.
- 2.4 In short, by transferring data outside of the Council’s network and losing the controls over managing data, the Council faces various data protection principles being breached. For normal day to day business this is considered unacceptable.
- 2.5 Practical differences between the different types of email accounts and their implications are outlined below, to provide more detail.

3 Differences between Personal and Council Email Addresses

- 3.1 The Council has a secure internal network where members and staff can use email to exchange information in relation to council business. As long as they are emailing within this network they do not need to consider all the information handling principles around security for each email they send.

- 3.2 The Council has no way to control or secure emails going to personal email addresses and, even if email encryption was used, then the device used to access the personal emails could have been compromised and may be forwarding all information from it to an unknown third party.
- 3.3 Members are issued with devices that are managed and securely maintained by the Council, so that they can conduct council business in a secure environment.
- 3.4 To maintain the assumed security within the internal network the use of auto-forwarding rules that send on emails to email addresses outside of the Council's secure network is not allowed.
- 3.5 Whenever an email is sent outside the Council network the person sending the email needs to consider the information within the email and the route that the email will be taking to reach the intended recipient.
- 3.6 When a private individual decides to communicate via a personal email address they are normally only communicating their own information and so can make the decision for themselves.
- 3.7 Whilst it is recognised that a lot of information used by the Council is open to the public, a Council member or a member of staff using email for council business can be exchanging information that may be personal to another individual, confidential council material exempt from public disclosure, or information that may cause harm to others and/or reputation/financial damage to the Council.
- 3.8 Furthermore, the use of an email address with 'lancaster.gov.uk' helps to give assurance as to the source of such communication and indeed to the recipient. It helps reinforce the important message that it is the Council (through a representative) with which an external party is in communication with. Even with internal communications though, the standard format of council emails helps with identification. Personal emails with, for example, very short aliases can be readily mistaken for SPAM / marketing ploys – even with filters, some staff may be in receipt of many such emails and ascertaining their true purpose and sender may not be obvious. There is therefore the risk either of emails being overlooked, or time being wasted.
- 3.9 In short, it is good practice to have separate personal and work email addresses, to help and to ensure that associated legal obligations are met and that the Council can work securely and efficiently. It is standard practice in organisations, to the extent that when this concept has been raised with public sector ICT and information communities, it has been met with genuine surprise as to why it would need explaining or justifying.

4 Summary of Consequences of Data Protection and Security Breaches

- 4.1 The Council may suffer financial loss through the mishandling of data and the Council not meeting its legal obligations, This can be in the form of direct fines from the Information Commissioner (IC), or through costs arising linked to any agreement with the IC to ensure compliance with one or more of the data protection principles.
- 4.2 The Council has a position of trust with the local community and businesses and this may be broken by a data loss, leading to mistrust and reputational damage.

4.3 Financial and/or physical harm may come to an individual if certain data concerning them gets into the wrong hands.

4.4 In short, data/information is a valuable commodity and systems, processes and protocols should reflect this.

5 Conclusion

5.1 Whilst needing to use different email addresses in different environments may cause a small amount of inconvenience for individuals, the risks around the use of personal email addresses for council business far outweigh the benefits.

5.2 Council business must therefore only be conducted using council email addresses, and the Committee is requested to endorse this. Officers will then be instructed to correspond with elected members by email only to a member's council email address. Any supporting operational arrangements may also be put in place, if or as necessary.

**CONCLUSION OF IMPACT ASSESSMENT
(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)**

Computer usage policies aim to minimise any adverse impact, through ensuring and promoting adequate data security and appropriate working arrangements.

LEGAL IMPLICATIONS

The legal implications are set out in the report.

FINANCIAL IMPLICATIONS

There are no direct financial implications arising, on the basis that that the Committee endorses good practice.

**OTHER RESOURCE IMPLICATIONS
Human Resources/ICT /Property/Open Spaces:**

As set out in the report, where appropriate.

SECTION 151 OFFICER'S COMMENTS

The s151 Officer has contributed to this joint report, in her capacity as Chief Officer (Resources).

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and supports the recommendations set out in the report.

BACKGROUND PAPERS

Contact Officer: Chris Riley

See attached ICT Best Practice Guide –
*Reasons not to use personal email for work
purposes*

Telephone: 01524 582106

E-mail: cjriley@lancaster.gov.uk

Ref:

Reasons not to use personal email for work purposes

Free email services scan emails

Email services that allow 'free' mailboxes make their money from advertising. To sell adverts the contents of emails are scanned, and the results stored and used to target adverts. Therefore, emails sent to or from, or stored in, this type of account can have the contents saved and stored indefinitely. ¹

Lack of password control

As we have no control over the password the user sets on the mailbox we can't set minimum security levels on them, making them easier to hack. They also never have to be changed, which is good practice, so once compromised will always be compromised. ²

Saved credentials

Web mail services allow users to save their username and password on the device. Therefore if someone connects to a mailbox from a public machine and forgets to un-tick the boxes that ask about saving log-in details they may be stored. ³

Hacked device

As we have no control over the devices used to access the email accounts we cannot say that they are patched up to date or free of malware, nor running anti-virus and firewall software.

Patching fixes known security issues with software on a device. If a patch is released and not applied, or the software is out of support and patches are not released to fix known vulnerabilities it makes the device easier to hack. ⁴

Once a device is hacked someone can install malware on it. This could allow an attacker to view everything on the machine, or receive reports of keystrokes showing them what the user is typing therefore revealing confidential information to them. ⁵

Hacked Web mail

Online email providers are a prime target for hackers. Users will use their personal email address to register for other sites, and may reuse passwords over multiple sites, therefore usernames and passwords for email accounts are of large value to hackers. If a large mail service provider does have a leak of account details then the emails from these accounts can be harvested. ⁶

No device management if emails stored locally

Some mail providers allow email accounts to be accessed via applications installed on the device and store them in that device's memory. We have no control over access restrictions on these devices so

if someone loses that device we do not know to what standard access to the device is protected (is there an access code/password for it), the device probably won't be encrypted and there may be no way to remotely wipe data from the device. These would be the three minimum standards for allowing users to access work email accounts from a device off our premises. ⁷

Mistyped address

Due to the number of accounts set up by mail providers there is more chance of a mistyped email address when sending something to yourself, or asking a colleague to forward something to you. E.g. if I wanted to send something to jsmith@xxxx.com but mistyped the initial and sent it to ksmith@xxxx.com there is every chance this is a valid address and you will never receive any message to say you got the address wrong so will never be aware of it, and even if you are aware you would have no way to know if someone else owns that address.

Also if your personal email address is similar but different to your work one there is a greater chance of confusion. If your work address is jsmith@lancaster.gov.uk but someone else has jsmith@xxxx.com, so your personal account is jsmith@xxxx.com, then if you ask a colleague to forward work to you they may miss your initial out as they are not used to typing it.

Finally, criminals buy up 'doppelganger' domain names for email accounts that contain similar names to large mail companies e.g. googel.com, so if you make an error after the '@' part of the address they will receive the email. .gov.uk domains are protected from this. ⁸

European Union Data Protection Directive

The European Union Data Protection Directive is a legal control forbidding the transfer of data about citizens outside the EU unless certain criteria are met. Because we don't know where the emails sent to personal accounts will be stored then by sending something to a personal email address we may be in breach of this. ⁹

Shared email address and device issues

A home device and email account could be used by multiple people in the household, the other users will not have read or signed up to any council policies therefore may not be as aware of the issues surrounding data protection, and they would be privy to personal information that the council needs to protect.

Known user emailing in

Because someone working from home will have the email addresses of work colleagues stored in their address book, and those people will be used to receiving an email from that personal address. Therefore if the personal address is hacked and used to send viruses or spam all the work colleagues will receive it and be more likely to open it as it is from a trusted source, meaning we have more chance of having the core network infected. ¹⁰

No back-up/retrieval/audit ability

Our email is backed-up so that in the event of data loss we can retrieve emails, and we can check the dates and times emails were sent and who they were sent to and from for audit purposes.

Therefore if we are ever challenged over something by a supplier, contractor, member of the public etc. we have all the records we need. As soon as the email is sent to or from a personal account we lose that ability, therefore we cannot defend ourselves against claims made by third parties.

Data Protect Act and Freedom Of Information act issues

We are legally obliged to provide information when it is requested under certain acts. If all emails are processed through work systems it makes the job of retrieval relatively easy and therefore we are compliant. As soon as communications start being sent through third party software they come in scope under the acts and communications sent through them do need to be reported. However, as the council will not know they exist we find it difficult to comply with these acts and therefore will be in breach of them if we miss these communications out of the response. ¹¹

The Data Protection Act lists 8 principles that we must follow ¹², stating the data is:

1. used fairly and lawfully
2. used for limited, specifically stated purposes
3. used in a way that is adequate, relevant and not excessive
4. accurate
5. kept for no longer than is absolutely necessary
6. handled according to people's data protection rights
7. kept safe and secure
8. not transferred outside the UK without adequate protection

By transferring the data out of our network and losing the controls we have put in place to manage data we lose control of the data and risk breaking every principle.

References

1. <http://www.google.com/intl/en/policies/terms/> **Google Terms of Service** (retrieved 30.06.2015)
2. <http://www.identityhawk.com/preventing-identity-theft-with-strong-passwords> **The Importance of Strong Passwords in Preventing Identity Theft** (retrieved 30.06.2015)
3. <https://www.surfeasy.com/blog/10-ways-to-protect-yourself-when-using-a-public-computer/?lang=0> **10 Ways to Protect Your Online Privacy When Using a Public Computer** (retrieved 30.06.2015)
4. <http://www.scmagazineuk.com/patching-is-too-important-to-be-neglected/article/128089/> **Patching is too important to be neglected** (retrieved 30.06.2015)
5. <http://blogs.technet.com/b/mmpc/archive/2013/04/17/everyone-benefits-from-antimalware-software.aspx> **Everyone benefits from antimalware software** (retrieved 30.06.2015)
6. <http://blog.trendmicro.com/trendlabs-security-intelligence/targeted-attacks-on-popular-web-mail-services-signal-future-attacks/> **Targeted Attacks on Popular Webmail Services Signal Future Attacks** (retrieved 30.06.2015)
7. <http://www.baselinemag.com/c/a/Mobile-and-Wireless/10-Best-Practices-for-Mobile-Device-Security/> **10 Best Practices for Mobile Device Security** (retrieved 30.06.2015)
8. <http://www.bbc.co.uk/news/technology-14842691> **Bad spelling opens up security loophole** (retrieved 30.06.2015)
9. http://ec.europa.eu/justice/data-protection/index_en.htm **Protection of personal data** (retrieved 30.06.2015)
10. <http://www.webroot.com/gb/en/home/resources/tips/online-shopping-banking/secure-what-is-social-engineering> **What is Social Engineering?** (retrieved 30.06.2015)
11. [https://ico.org.uk/for_organisations/guidance_index/~media/documents/library/Freedom_of_Information/Detailed_specialist_guides/official_information_held_in_private_email_accounts.ashx](https://ico.org.uk/for_organisations/guidance_index/~/media/documents/library/Freedom_of_Information/Detailed_specialist_guides/official_information_held_in_private_email_accounts.ashx) **Official information held in private email accounts** (retrieved 30.06.2015)
12. <https://www.gov.uk/data-protection/the-data-protection-act> **Data protection** (retrieved 30.06.2015)

COUNCIL BUSINESS COMMITTEE**COMMITTEE TIMETABLE 2016/17
5th November 2015****Report of the Chief Officer (Governance)****PURPOSE OF REPORT**

To agree the timetable of committee meetings for the 2016/17 municipal year.

This report is public.

RECOMMENDATION

That Members approve the proposed timetable of meetings, times and venues for the 2016/17 municipal year, or recommend any substantial proposals for change to Council for approval.

1.0 Introduction

1.1 Council Business Committee has delegated authority to agree the annual timetable of City Council meetings.

2.0 Proposal Details

2.1 The appended timetable is based on previous decisions of this Committee and Council. The pattern of Overview and Scrutiny Committee (OSC) dates, agreed by Council Business Committee on 16th January 2014 has been incorporated into the timetable, namely that OSC meetings be held two weeks and a day after Cabinet, wherever possible. Where that is not feasible, for example where an OSC meeting would clash with Council or another committee, they have been scheduled one week and a day after Cabinet.

2.2 The timetable is also based on the decision made by Council, on 11th December 2013, to reduce the number of meetings as follows: -

Council: from 10 to 8.

Cabinet: from 11 to 10.

Standards Committee: from 4 to 2.

Audit Committee: from 4 to 3.

Licensing Act Committee: from 6 to 2.

Budget and Performance Panel: from 9 to 5.

Council Business Committee: from 6 to 3.

Personnel Committee: from 4 to 2.

It was agreed to maintain 9 Overview and Scrutiny Committee meetings, whilst

Planning and Highways Committee and Licensing Regulatory Committee are unchanged. Council also recommended that Joint Consultative Committee meetings be held on the same day as Personnel Committee, wherever possible.

- 2.3 Planning site visits have been set a week prior to Planning and Highways Committee meetings, if these are required.
- 2.4 Council, Cabinet and Budget and Performance Panel have been scheduled to enable up-to-date budgetary, corporate performance monitoring and treasury management reports to be submitted to the appropriate meetings. This has resulted in the Budget and Performance Panel meeting in August 2016 being held on a Wednesday rather than a Tuesday. This is in order to maintain the August recess as far as possible.
- 2.5 Special Council meetings have been abandoned as formal Council meetings and have not been included in the timetable in accordance with the resolution of Council on 17th December 2014.
- 2.6 A Bank Holiday on Monday, 30th May 2016 has caused a Planning and Highways Committee meeting to be moved to Tuesday, 31st May 2016, likewise with Bank Holidays on 2nd January and 1st May 2017 planning site visits, if required, have been moved to 3rd January and 2nd May 2017.
- 2.7 Members may wish to note that the PCC elections will take place on Thursday, 5th May 2016, with Lancashire County Council elections taking place on Thursday, 4th May 2017.
- 2.8 The committee start times and location details are provided at Appendix A to this report, with the timetable at Appendix B.

3.0 Conclusion

- 3.1 Members are asked to approve the draft timetable of meeting dates, times, and venues for the 2016/17 municipal year, or to refer any substantial changes to Council for approval.

**CONCLUSION OF IMPACT ASSESSMENT
(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)**

None.

LEGAL IMPLICATIONS

It is a legal requirement that the City Council publishes its timetable of meetings by the commencement of each Municipal Year. Amendments can be made throughout the year provided at least 5 days' notice is given.

FINANCIAL IMPLICATIONS

There are no additional financial implications for the above proposals. The costs of the meetings will be met from existing budgets.

OTHER RESOURCE IMPLICATIONS

Human Resources:

None.

Information Services:

None.

Property:

None.

Open Spaces:

None.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

None.

Contact Officer: Stephen Metcalfe

Telephone: 01524 582073

E-mail: sjmetcalfe@lancaster.gov.uk

Meeting Start Times/Venues 2016/17

(LTH = Lancaster Town Hall)
(MTH = Morecambe Town Hall)

Meeting	Venue(s)	Start Time
Annual Council (Ceremonial)	Ashton Hall, LTH	12 noon
Annual Council (Business)	MTH	6:30pm
Council	MTH	6.00pm
Council Business Committee	MTH	6.00pm
Cabinet	Alternating between LTH & MTH	6.00pm
Overview and Scrutiny Committee	MTH	6.00pm
Budget and Performance Panel	LTH The stakeholder meeting in January 2017 to be held in MTH commencing at 6.00pm.	6.10pm
Licensing Regulatory Committee	LTH	1.00pm
Licensing Act Committee	LTH	2.00pm
Planning & Highways Regulatory Committee	LTH	10.30am
Personnel Committee*	LTH	6.10pm
JCC	LTH	2.00pm
Audit Committee	MTH	6.00pm
Standards Committee*	LTH	6.10pm

The Appeals Committee is convened as and when necessary at LTH with no set day or time.

*These Committees will begin earlier in the day where additional meetings are convened to hear specific cases.

TIMETABLE 2016/2017

2016

2017

	May	June	July	August	September	October	November	December	January	February	March	April	May		
Mon				1										1 Bank Holiday	Mon
Tue				2 Cabinet LTH			1 Cabinet MTH							2 Planning Site Visit	Tue
Wed		1		3 Budget and Performance Panel			2			1 Council	1 Budget Council			3	Wed
Thur		2 Licensing Reg Member Briefing		4	1 Licensing Reg Member Briefing		3 Council Business Committee	1 Licensing Act		2 Member Briefing	2 Member Briefing			4 ELECTION (County)	Thur
Fri		3	1	5	2		4	2		3	3			5	Fri
Sat		4	2	6	3	1	5	3		4	4	1		6	Sat
Sun	1	5	3	7	4	2	6	4	1	5	5	2		7	Sun
Mon	2 Bank Holiday	6	4	8	5	3	7 Planning Site Visit	5 Planning Site Visit	2 Bank Holiday	6 Planning	6 Planning	3 Planning		8 Planning	Mon
Tue	3 Planning	7	5	9	6 Cabinet MTH	4 Cabinet LTH	8 Budget & Performance Panel	6 Cabinet LTH	3 Planning Site Visit	7 Budget and Performance Panel	7	4		9	Tue
Wed	4	8 Overview & Scrutiny Committee	6 Overview and Scrutiny Committee	10	7 Audit	5	9 Council	7	4	8 Overview and Scrutiny Committee	8 Overview and Scrutiny Committee	5 Overview and Scrutiny Committee		10	Wed
Thur	5 ELECTION (PCC)	9 Standards	7 Member Briefing	11	8	6 Member Briefing	10	8	5 Licensing Reg	9 Licensing Reg	9 Council Business Committee	6 Member Briefing		11	Thur
Fri	6	10	8	12	9	7	11	9	6	10	10	7		12 Annual Council	Fri
Sat	7	11	9	13	10	8	12	10	7	11	11	8		13	Sat
Sun	8	12	10	14	11	9	13	11	8	12	12	9		14	Sun
Mon	9	13	11	15 Planning Site Visit	12 Planning Site Visit	10 Planning Site Visit	14 Planning	12 Planning	9 Planning	13	13	10		15 Business Council	Mon
Tue	10	14	12 Budget and Performance Panel	16	13	11	15	13	10	14 Cabinet LTH	14	11		16	Tue
Wed	11	15 Audit	13 Council	17	14	12	16 Overview & Scrutiny Committee	14 Overview & Scrutiny Committee	11	15	15	12 Council		17	Wed
Thur	12	16 Licensing Act	14 Licensing Reg	18	15	13 Licensing Reg	17 Member Briefing	15	12 Member Briefing	16	16	13		18	Thur
Fri	13 Annual Council	17	15	19	16	14	18	16	13	17	17	14 Bank Holiday		19	Fri
Sat	14	18	16	20	17	15	19	17	14	18	18	15		20	Sat
Sun	15	19	17	21	18	16	20	18	15	19	19	16		21	Sun
Mon	16 Business Council	20 Planning Site Visit	18 Planning Site Visit	22 Planning	19 Planning	17 Planning	21	19	16	20	20	17 Bank Holiday		22	Mon
Tue	17	21 JCC Personnel	19	23	20	18	22	20	17 Cabinet MTH	21	21 Cabinet MTH	18		23	Tue
Wed	18	22	20	24	21 Overview and Scrutiny Committee	19 Overview and Scrutiny Committee	23	21 Council	18 Audit	22	22	19		24	Wed
Thur	19	23 Council Bus Com	21	25	22	20	24 Licensing Reg	22	19 Standards	23	23 Licensing Reg	20		25	Thur
Fri	20	24	22	26	23	21	25	23	20	24	24	21		26	Fri
Sat	21	25	23	27	24	22	26	24	21	25	25	22		27	Sat
Sun	22	26	24	28	25	23	27	25	22	26	26	23		28	Sun
Mon	23 Planning site visit	27 Planning	25 Planning	29 Bank Holiday	26	24	28	26 Bank Holiday	23	27 Planning Site Visit	27 Planning Site Visit	24		29 Bank Holiday	Mon
Tue	24	28 Cabinet MTH	26	30	27	25	29	27 Bank Holiday	24 Budget & Perf Panel - MTH	28	28	25 Cabinet LTH		30	Tue
Wed	25	29	27	31	28 Council	26	30	28	25		29	26		31	Wed
Thur	26	30	28		29	27		29	26		30	27			Thur
Fri	27		29		30	28		30	27		31	28			Fri
Sat	28		30			29		31	28			29			Sat
Sun	29		31			30			29			30			Sun
Mon	30 Bank Holiday					31			30 Planning Site Visit						Mon
Tue	31 Planning								31 JCC Personnel						Tue

COUNCIL BUSINESS COMMITTEE

**Recording of Attendance, Apologies
and Absences at Meetings
5 November 2015**

Report of the Chief Officer (Governance)

PURPOSE OF REPORT
To inform Committee members of current procedures regarding the recording of attendance, apologies and absences at meetings for their consideration.
This report is public

RECOMMENDATIONS

(1) That the Committee considers the information in this report.

1.0 Introduction

1.1 This report has been requested by a member who is concerned about the recording of attendance at meetings, particularly when apologies are given. The attendance details published on the Council's website show the percentage of meetings absent. The Member was particularly concerned that this percentage also includes absences from Committee meetings where the Councillor has given apologies and sent a substitute and asked if this could be changed so that when a substitute has attended a meeting in place of a Committee Member, the Committee Member is not recorded as "absent" in the published information.

2.0 Current Procedures

2.1 Currently, details of Councillors' attendance and absences are recorded on the Council's electronic committee management information system Modern.gov. The clerk of the meeting enters the attendance details when typing up the draft minutes and the information typed in is linked to each Councillor's profile. The way the attendance details appear on the Council's website is shown using a fictional example below:

Attendance statistics for Councillor Example

Statistic	Count	Percentage
Total expected attendances:	15	
Present as expected:	12	80%
Apologies received:	3	100% of absences
Absent (incl. apologies):	3	20%

Explanation of the statistics counts

Total expected attendances

The number of meetings that the councillor was expected to attend in their capacity as member of that committee. This only includes meetings for which the councillor's actual attendance status is known.

Present as expected

The number of meetings that the councillor attended in their capacity as member of that committee.

Absent (incl. apologies)

Meetings not attended, where the councillor is a member of the committee, including apologies submitted.

Other meeting statistics options

- o [View statistics for each committee attended](#)

Meeting summary for Councillor Example		
Date	Committee Meeting	Attendance
04/03/2015	Council ,04/03/2015	Present
15/04/2015	Council ,15/04/2015	Present
22/05/2015	Council ,22/05/2015	Present
22/05/2015	Council ,22/05/2015	Present
26/05/2015	Council ,26/05/2015	Present
06/06/2015	Committee Meeting name, 06/06/2015	Present
16/06/2015	Committee Meeting name ,15/06/2015	Present
18/06/2015	Committee Meeting name,18/06/2015	Present
30/06/2015	Committee Meeting name,30/06/2015	Apologies received
08/07/2015	Committee Meeting name ,08/07/2015	Present
15/07/2015	Council ,15/07/2015	Present
15/07/2015	Council ,15/07/2015	Present
27/07/2015	Committee Meeting name,27/07/2015	Present
17/08/2015	Committee Meeting name,17/08/2015	Apologies received
24/08/2015	Committee meeting name ,24/08/2015	Apologies received

- 2.2 The information does make it clear in the explanatory notes that the percentage of absences includes instances where the Councillor sent apologies. There is no provision on the Modern.gov statistical system to differentiate between instances when apologies were given and when apologies were given and a substitute attended the meeting in place of a Member, although it is the convention for clerks to write that information into the minutes.
- 2.3 An important purpose of entering the absence information into the Modern.gov system is that it has the functionality to flag up non-attendance, at the four month stage, to the Democratic Services Manager (DSM). At that point the DSM will contact the Councillor concerned, and the group leader in the case of a group member, to alert him or her that they appear to be approaching six months without attending a meeting. This gives the member an opportunity to dispute this, if they have attended any qualifying meetings (such as Cabinet Liaison Groups, for example) which are not clerked by Democratic Services staff and recorded on Modern.gov. Alternatively, it gives the member sufficient time to make arrangements to attend a meeting in the next two months and avoid losing their seat on the Council.
- 2.4 It would not be a suitable solution to count absences where a Councillor sends a substitute to a Committee meeting as being 'present'. This would skew the absence records and the electronic system would no longer prompt the DSM automatically when a Councillor reached the four month absence mark. This could also result in unnecessary by-elections as Members have always

attended when prompted at the four month point in the past, or have requested that a report be put to Council to extend their absence period, in case of long term illness.

- 2.5 Another possible solution, to publish a percentage of meetings, where the Councillor gave apologies and a substitute member attended, would be difficult and time-consuming to achieve because it would have to be done manually. There is no facility for this to be put in place on the existing software.

3.0 Conclusion

- 3.1 Members are invited to discuss the information in this report. The DSM will be attending the meeting to provide any further information necessary.

<p>CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)</p> <p>None.</p>
<p>LEGAL IMPLICATIONS</p> <p>Section 85 of the Local Government Act 1972 states that “if a member fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the authority, he shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority.”</p> <p>It is important to have a system of recording Members’ attendance at meetings in place to flag up to the Democratic Services Manager when a Member is nearing six months without attending a meeting.</p>
<p>FINANCIAL IMPLICATIONS</p> <p>There are no financial implications as a result of this report.</p>
<p>OTHER RESOURCE IMPLICATIONS</p> <p>Human Resources: None.</p> <p>Information Services: None.</p> <p>Property: None.</p> <p>Open Spaces: None.</p>

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

Contact Officer: Debbie Chambers
Telephone: 01524 582057
E-mail: dchambers@lancaster.gov.uk
Ref: N/A

COUNCIL BUSINESS COMMITTEE**Urgent Business: Substitute Members for Overview
and Scrutiny
5 November 2015****Report of the Chief Officer (Governance)****PURPOSE OF REPORT**

To inform Committee members of an urgent business decision taken between meetings.

This report is public

RECOMMENDATIONS

- (1) That the Committee notes the following urgent business decision taken in accordance with the Council's Urgent Business Procedure Rules:

That the appointment of Councillor Biddulph as substitute member for the Labour Group for Budget and Performance Panel and Councillors Mills and Wilkinson as substitute members for the Green Group for the Overview and Scrutiny Committee, be approved.

1.0 Decision and Reason for Decision

- 1.1 The Council's Constitution does not permit casual substitution on the Overview and Scrutiny Committee or the Budget and Performance Panel. All substitutes must be named and appointed by Council Business Committee or Council itself.
- 1.2 There being no convenient meeting of this Committee or of Council, the Chief Officer (Governance) consulted with the Chairman of the Committee to approve the appointment of three substitute members on Overview and Scrutiny bodies. The Chief Officer (Governance) took the decision under the scheme of delegation in the absence of the Chief Executive. The decision was taken on 18 August 2015, allowing the members to act as substitutes for their group at meetings held between 18 August and this meeting.

2.0 Conclusion

- 5.1 The decision is reported in to this meeting as required by the Council's Constitution, Part 4, Section 7 (Urgent Business Procedure Rules) Paragraph 2.2

CONCLUSION OF IMPACT ASSESSMENT
(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

None.

LEGAL IMPLICATIONS

There are no legal implications arising directly from the report.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report.

OTHER RESOURCE IMPLICATIONS

Human Resources:

None.

Information Services:

None.

Property:

None.

Open Spaces:

None.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

Contact Officer: Debbie Chambers
Telephone: 01524 582057
E-mail: dchambers@lancaster.gov.uk
Ref: N/A