

BOLSOVER DISTRICT COUNCIL

Meeting of the Standards Committee on 9th February 2026

Change to the Council's Constitution

Report of the Director of Governance and Legal Services & Monitoring Officer

Classification	This report is Public
Contact Officer	Jim Fieldsend, Director of Governance and Legal Services & Monitoring Officer

PURPOSE/SUMMARY OF REPORT

To clarify the term “working days” in the Constitution.

REPORT DETAILS

1. Background

- 1.1 The Council's Constitution contains numerous time limits for completing actions and a number of these actions refer to working days. For example, notice of questions under rule 9.3 of the Council Procedure Rules must be submitted no later than midday, twelve clear working days before the date of a Council meeting.
- 1.2 The term working days is not defined and so, following a query from one Member, this needs to be clarified.

2. Details of Proposal or Information

- 2.1 The usual interpretation of the term “working day” is Monday to Friday excluding weekends and bank/public holidays. Many pieces of legislation such as the Companies Act 2006 and the Data Protection Act 2018 use this definition for filing documents or responding to notices. This is also a definition recognised by organisations such as ACAS and HMRC. With this in mind and in the context of the various rules within the Council's Constitution where notices are served on officers who only work Monday to Friday it would be irrational to interpret “working day” any other way.
- 2.2 It is therefore proposed that the Constitution be updated to include a definition of “working day” to mean Monday to Friday excluding weekends and bank/public holidays.

3. Reasons for Recommendation

- 3.1 To clarify what is meant by the term “working day” in the Constitution.

4 Alternative Options and Reasons for Rejection

- 4.1 To agree a different definition. The proposed definition is the universally accepted version of the term.

RECOMMENDATION(S)

1. That the Committee recommend to Council to include a definition of the term “working day” to mean Monday to Friday excluding weekends and bank/public holidays.

IMPLICATIONS:

<u>Finance and Risk</u>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Details:		
On behalf of the Section 151 Officer		
<u>Legal (including Data Protection)</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Details:		
On behalf of the Solicitor to the Council		
<u>Staffing</u>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Details:		
On behalf of the Head of Paid Service		
<u>Equality and Diversity, and Consultation</u>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Details:		
<u>Environment</u>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment		
Details:		

DECISION INFORMATION:

<p><input checked="" type="checkbox"/> Please indicate which threshold applies:</p> <p>Is the decision a Key Decision? A Key Decision is an Executive decision which has a significant impact on two or more wards in the District or which results in income or expenditure to the Council above the following thresholds:</p> <p>Revenue (a) Results in the Council making Revenue Savings of £75,000 or more or (b) Results in the Council incurring Revenue Expenditure of £75,000 or more.</p> <p>Capital (a) Results in the Council making Capital Income of £150,000 or more or (b) Results in the Council incurring Capital Expenditure of £150,000 or more.</p> <p>District Wards Significantly Affected: <i>(to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District)</i> Please state below which wards are affected or tick All if all wards are affected:</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>(a) <input type="checkbox"/> (b) <input checked="" type="checkbox"/></p> <p>(a) <input type="checkbox"/> (b) <input checked="" type="checkbox"/></p> <p>All <input type="checkbox"/></p>
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<p>If Yes, is the call-in period to be waived in respect of the decision(s) proposed within this report? <i>(decisions may only be classified as exempt from call-in with the agreement of the Monitoring Officer)</i></p> <p>Consultation carried out: <i>(this is any consultation carried out prior to the report being presented for approval)</i></p> <p>Leader <input type="checkbox"/> Deputy Leader <input type="checkbox"/> Executive <input type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/></p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
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Links to Council Ambition: Customers, Economy, Environment, Housing
Customers

DOCUMENT INFORMATION:

Appendix No	Title

Background Papers

(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive, you must provide copies of the background papers).

DECEMBER 2024