

Report To:	ANNUAL COUNCIL MEETING
Date:	25 MAY 2023
Heading:	CONSTITUTION UPDATE
Executive Lead Member:	NOT APPLICABLE
Ward/s:	NOT APPLICABLE
Key Decision:	NO
Subject to Call-In:	NO

Purpose of Report

The purpose of this report is to present proposed updates to the Constitution for consideration and approval by Council.

Recommendation(s)

Council is recommended to:

- a. Consider and approve the proposed changes to the Council's Constitution.

Reasons for Recommendation(s)

The Council's Constitution is reviewed and updated throughout each year to ensure it remains fit for purpose.

Alternative Options Considered

The Council could choose not to review and update the Constitution regularly. However, this would be contrary to best practice and reduce the value of the document as an authoritative guide on how the Council operates.

Detailed Information

CONSTITUTION UPDATE

The Council's Constitution is reviewed and updated throughout the year to ensure it remains fit for purpose. Changes are made primarily to ensure the Constitution is in line with policy changes within

the Council and any changes to legislation that may impact the provisions set out within each section.

The table below sets out changes proposed as part of the most recent update exercise.

Constitution Section	Proposed Updates
Part 4 – Rules of Procedure	Contract Procedure Rules – Procurement thresholds changed. Streamlining of decision making process. Quick Reference Guide updated to reflect the above changes. Definitions list updated. Minor formatting changes throughout.
Part 7 – Allowances	Figures relating to councillor basic pay and special responsibility allowances have been updated to reflect the latest pay award. References to the National Living Wage have been updated following changes introduced in April 2023.
Part 8 – Management Structure	The Senior Management Structure chart has been updated to the most current version.

FURTHER CONSTITUTION UPDATES

A further report detailing review and updates for the Constitution will be presented to Council for consideration in July 2023.

Implications

Corporate Plan:

The Council strives to ensure effective community leadership through good governance, transparency, accountability, and appropriate behaviours. The Constitution underpins these aims.

Legal:

In accordance with Article 13 of the Constitution, the Monitoring Officer is responsible for keeping the Constitution under review. The Monitoring Officer is delegated the authority to make minor amendments to the Constitution or make amendments to reflect in year changes. Substantive changes to the Constitution must be approved by the Council. [RLD 17/05/2023]

Finance:

There are no direct financial implications resulting from the recommendations within this report.

Budget Area	Implication
General Fund – Revenue Budget	
General Fund – Capital Programme	
Housing Revenue Account – Revenue Budget	
Housing Revenue Account – Capital Programme	

Risk:

Risk	Mitigation
Failing to regularly review and update the Constitution would increase the risk of failing to adhere to legislation, policy, and practices, and could negatively impact the Council's decision-making.	The Constitution is reviewed and updated regularly to ensure it remains fit for purpose.

Human Resources:

There are no direct HR implications resulting from the recommendations within this report. Sections within the Constitution such as the Code of Conduct for Employees and Member/Officer Protocol are regularly reviewed to ensure they remain fit for purpose, with consideration to any HR implications.

Environmental/Sustainability

There are no direct environmental/sustainability implications resulting from the recommendations within this report.

Equalities:

There are no direct equalities implications resulting from the recommendations within this report.

Other Implications:

None.

Reason(s) for Urgency

None.

Reason(s) for Exemption

None.

Background Papers

None.

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