

**COMMITTEE:** CONSTITUTION

**DATE:** 30<sup>TH</sup> JUNE 2020

**SUBJECT:** CONSTITUTION REVIEW – A CASE FOR CHANGE

**REPORT BY:** SERVICE DIRECTOR TRANSFORMATION &  
TECHNOLOGY

**CONTACT OFFICER:** Paul Joghee 01582 (54)

**IMPLICATIONS:**

**LEGAL**

**OTHER**

**WARDS AFFECTED: ALL**

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## **PURPOSE**

1. The purpose of this report is to seek the Committees' support to the direction of travel for reviewing the Council's Constitution, as out in the Case for Change appended.

## **RECOMMENDATION(S)**

2. (i) That undertaking a review of the existing constitution and to confirm the key priorities as set out within the case for change attached at Appendix A to this report, be approved.  
  
(ii) That the establishment of a politically balanced Sub-Committee to support the ongoing review process and to make recommendations to Constitution Committee, be approved.  
  
(iii) That the composition of the Sub-Committee be either:  
  
5 (3 Labour, 1 Liberal Democrat and 1 Conservative) or

## **7 (4 Labour, 2 Liberal Democrat and 1 Conservative member)**

### **BACKGROUND**

3. The Future Ready programme aims to modernise the way the Council operates, making it more efficient, productive and customer centric. The programme aims to optimise council's processes, services, structure and culture, focusing on value added activities to deliver the 2040 vision.
4. The format of the Constitution needs to be modernised, to make it easier to read, navigate and understand and to ensure that it meets the accessibility standards that will become law in September 2020.
5. Against the backdrop of the COVID 19 pandemic we need to have a sharp focus on all of our processes and procedures and ensure they are as cost effective as possible. They need to work seamlessly together, creating a framework that enhances and supports elected members and officers to make effective, lawful and timely decisions, implemented in a transparent and accountable way.

### **REPORT**

6. The objective of the review as set out in the Case for Change attached at Appendix A, is to ensure written documents forming the Constitution are up to date, easy to read (where possible) and accessible, and to have organisational arrangements that:
  - a. identifies and reduces organisational inefficiency,
  - b. allows timely decision making,
  - c. provides appropriate devolution to officers to take and implement decisions (within the schemes of delegation framework), that elected members are comfortable with and confident in.
7. As part of this process it is planned to review some of the administrative processes that give effect to the Scheme of Devolved Financial Management, the arrangements in place for managing executive reporting, the engagement of scrutiny and the specific rules applying to Development Control Committee.

### **PROPOSAL/OPTION**

8. The appended Case for Change sets out the proposal to:
  - review and update the financial regulations, scheme of delegation and standing orders, as required,

- review the different sections of the constitution and whether they are required to remain within the document
- re-write, where possible, all parts of the constitution in plain English and to ensure that the whole document meets the accessibility requirements of Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018

## **APPENDIX**

9. The following appendix is attached to this report:

Appendix A - Constitution Review Case for Change, Constitution Review Case for Change Appendices, IIA

## **LIST OF BACKGROUND PAPERS** **LOCAL GOVERNMENT ACT 1972, SECTION 100D**

LGH 1989 Local Government and Housing Act 1989

The Local Government (Committees and Political Groups) Regulations 1990

Equality Act 2010

Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018