

Review of the Constitution Steering Group

Thursday 27 October 2011

Present:

Councillor Ron Whittaker	-	Independent Group
Councillor Ben Grower	-	Labour Group
Councillor David Kelsey	-	Conservative Group
Councillor Sue Levell	-	Liberal Democrat Group
Joy Postings	-	Director of Law & Governance
Kevin Neale	-	Democratic Services Manager
Millicent Grant	-	Legal Consultant

The meeting started at 2.30pm

1. Appointment of Chair

Councillor Ben Grower was appointed Chair of the Steering Group for the remainder of the Municipal Year 2011/12.

2. Review of the Constitution Project

The Steering Group considered a briefing paper submitted by the Monitoring Officer and Director of Law and Governance. The paper set out the work carried out on the review of the Constitution project to enable the Steering Group to make recommendations to the Cabinet and full Council on the adoption of revised Parts 1, 2, 3 and 4 of the Constitution.

The Steering Group noted that the Financial Framework and the Officer Employment Procedure Rules within Part 4 of the Constitution had not been included in the current review project.

The Financial Framework is in urgent need of updating to reflect changes to the officer structure, the contract with Mouchel and to include changes that had been made to the Council's financial requirements. This issue was considered by the Audit and Governance Committee on 21 September 2011. That Committee agreed to recommend to the Cabinet that it should ensure that the Financial Framework is reviewed and updated to reflect the current contract with Mouchel and further changes that may be agreed. On 12 October 2011 the Cabinet adopted the recommendations from the Audit and Governance Committee.

The review of the Officer Employment Procedure Rules is taking place over a longer period of time in light of the Council's ongoing transformation programme. It is planned to carry out the review of the Officer Employment Procedure Rules in about

4 to 6 months time. The Council will not be put at risk by this delay because most of the Procedure Rules are statutory in nature. Whilst the review of these Procedure Rules will take place later the opportunity had been taken to change their format so that they reflect the layout of the rest of the new Constitution document.

The Contract Procedure Rules within Part 4 had been the subject of a separate review exercise and were also not included in the current review.

The Steering Group considered a table explaining the main proposed changes to the Constitution – Appendix 2 to the briefing paper submitted by the Monitoring Officer and Director of Law and Governance - and made a number of small changes to the proposals set out in Appendix 1 to the briefing paper.

DECISION:

The Cabinet is asked to recommend to full Council that the revised Parts 1, 2, 3 and 4 of the Constitution, as set out in Appendix 1 to the paper submitted by the Monitoring Officer and Director of Law and Governance and amended by this Steering Group, are adopted.

Note – Appendix 2 to the briefing paper submitted by the Monitoring Officer and Director of Law and Governance sets out a table of the main proposed changes to the Constitution. Where appropriate this table has been updated to indicate the Steering Group's response to the proposals.

3. Customer Care and Complaints Panel

DECISION:

The Chief Executive is asked to ensure that the existence and purpose of this Panel is included in and published as part of the Council's Complaints Procedure.

The meeting closed at 3:21pm

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