

Report Title:	Constitutional Amendments
Contains Confidential or Exempt Information	No - Part I
Cabinet Member:	Councillor Rayner (Chairman of the Member Standards Panel)
Meeting and Date:	Full Council – 19 July 2022
Responsible Officer(s):	Emma Duncan, Deputy Director of Law and Strategy, Monitoring Officer / Karen Shepherd, Head of Governance
Wards affected:	All

REPORT SUMMARY

The power to amend the constitution resides with full Council. This report details recommendations to make amendments to the constitution to provide clarity, improve consistency and transparency, and support efficient and effective council meetings and decision making.

The Member Standards Panel met on 8 June 2022 and agreed to make the recommendations to the Members' Code of Conduct as detailed below, for full Council consideration.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That full Council notes the report and considers the recommendation from the Member Standards Panel to amend the Members' Code of Conduct as detailed in Appendix B.

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Options

Table 1: Options arising from this report

Option	Comments
Approve the changes to the constitution detailed in Section 2 and Appendix B This is the recommended option	The amendments in the updated constitution will ensure the Code of Conduct reflects the current, up to date model LGA Code
Modify the changes to the constitution detailed in Section 2 and Appendix B	Members may wish to propose and consider amendments to the recommended changes.
Do not approve the changes to the constitution detailed in Section 2 and Appendix B	The constitution will not promote best practice or reflect the current, up to date model LGA Code

Members Code of Conduct

- 2.1 The Council adopted the LGA Model Code of Conduct in May 2021; since that time the LGA has made minor amendments to the Code to make it clearer. The Member Standards Panel met on 8 June 2022 and unanimously agreed to recommend the changes to full Council.

3. KEY IMPLICATIONS

3.1

Table 2: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Updated constitution	Amendments not approved and updated constitution not published	Amendments approved and updated constitution published	n/a	n/a	July 2022

4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 There are no direct financial implications by virtue of the recommendations in the report.

5. LEGAL IMPLICATIONS

The Constitution must be in compliance with the terms of the Local Government Act 2000, Local Government and Public Involvement in Health Act 2007, Localism Act 2011 and any other relevant statutory acts or guidance.

6. RISK MANAGEMENT

6.1

Table 3: Impact of risk and mitigation

Risk	Level of uncontrolled risk	Controls	Level of controlled risk
There is a risk of challenge if the constitution is not updated to reflect legal requirements and promote best practice.	Medium	Constitution is regularly reviewed and updated.	Low

7. POTENTIAL IMPACTS

- 7.1 Equalities. An Equality Impact Assessment screening form has been completed and is available as Appendix A.

7.2 Climate change/sustainability. None identified.

7.3 Data Protection/GDPR. None identified.

8. CONSULTATION

8.1 The Member Standards Panel met on 8 June 2022 and unanimously agreed to propose the recommendations detailed above.

9. TIMETABLE FOR IMPLEMENTATION

9.1 The full implementation stages are set out in table 4.

Table 4: Implementation timetable

Date	Details
19 July 2022	Full Council considers the recommendations
1 August 2022	Constitution updated and published to the council website

10. APPENDICES

10.1 This report is supported by two appendices:

- Appendix A – EQIA
- Appendix B – proposed amendments to Part 7A of the council constitution – Members’ Code of Conduct

11. BACKGROUND DOCUMENTS

11.1 This report is supported by one background document:

- The [current council constitution](#) (v. 21.2)

12. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
<i>Mandatory:</i>	<i>Statutory Officers (or their deputies)</i>		
Adele Taylor	Executive Director of Resources/S151 Officer	9/6/22	13/6/22
<i>Deputy:</i>			
Andrew Vallance	Head of Finance (Deputy S151 Officer)	9/6/22	
Elaine Browne	Head of Law (Deputy Monitoring Officer)	9/6/22	
<i>Other consultees:</i>			
<i>Directors (where relevant)</i>			

Duncan Sharkey	Chief Executive	9/6/22	9/6/22
Andrew Durrant	Executive Director of Place	9/6/22	9/6/22
Kevin McDaniel	Executive Director of Children's Services	9/6/22	
<i>Heads of Service (where relevant)</i>			
N/A			
<i>External (where relevant)</i>			
N/A			

Confirmation relevant Cabinet Member(s) consulted	Councillor Rayner, Chairman of the Member Standards Panel	Yes
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REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Council decision	No	No

Report Author: Emma Duncan, Monitoring Officer / Karen Shepherd, Head of Governance
