

Summary of key changes made and relevant link to design principle

The table below summarises the key changes made to the content of the constitution and the link to the relevant design principle agreed by audit and governance committee. The design principles are:

- a) Members and officers perform effectively in clearly defined functions and roles
- b) Member engagement and participation is maximised, including the involvement of all members in the development of key policies
- c) Decision making is informed, transparent and efficient
- d) The council welcomes public engagement and makes accountability real

Section	Key change	Design principle
Generic	<ul style="list-style-type: none"> • Job titles made current • Ensure compliance with council's style guide • Simplify wording • Reduce duplication • Changes to committee sizes to meet changes in overall number and scope of committees • Individuals referred to as 'they' rather than he/she 	<ul style="list-style-type: none"> • C • C • C • C • B
Part 1 (Introduction)		
Introduction	<ul style="list-style-type: none"> • Removal of narrative information unrelated to the constitution • Simplified summary of the constitution 	<ul style="list-style-type: none"> • C • C
Part 2 (Articles)		
Article 1:	<ul style="list-style-type: none"> • Some elements moved to a new 'code of corporate governance' in part 5 • Description of 'holder of public office' expanded for clarity • Powers of the council simplified • Purpose of constitution clarified • Review and changes of constitution simplified and amended to reduce duplication • Suspension of constitution clarified 	<ul style="list-style-type: none"> • C, D • A • A • A, D • C • C
Article 2:	<ul style="list-style-type: none"> • Corporate parent role referenced 	<ul style="list-style-type: none"> • A
Article 3:	<ul style="list-style-type: none"> • Citizens defined as 'living or working in the county' • Citizens' rights simplified with greater detail provided in new public engagement code • Citizen's responsibilities updated/clarified • Partner elements contained in article 9 	<ul style="list-style-type: none"> • D • D • D • A
Article 4:	<ul style="list-style-type: none"> • No substantive changes 	

Section	Key change	Design principle
Article 5:	<ul style="list-style-type: none"> • Role of cabinet support members included • Definition of executive arrangements moved to this section from a previous stand alone section 	<ul style="list-style-type: none"> • A • A
Article 6	<ul style="list-style-type: none"> • Role of scrutiny made clearer • Public engagement made clearer • Additional scrutiny committee 	<ul style="list-style-type: none"> • B • D • A, B
Article 7	<ul style="list-style-type: none"> • Inclusion of independent remuneration panel 	<ul style="list-style-type: none"> • A, C
Article 8	<ul style="list-style-type: none"> • Merging planning and regulatory functions into a single committee (with licensing activity still conducted through sub-committee). • Removal of member involvement in employee appeals process (in line with policy agreed following consultation with trade union). • Inclusion of standards panel 	<ul style="list-style-type: none"> • A, C • A, C • A • A, C
Article 9	<ul style="list-style-type: none"> • Greater clarification of statutory and other partnerships • Change of title to encompass wider range of partnerships • Title change to joint arrangements 	<ul style="list-style-type: none"> • A, C, D • A • A, C
Article 10	<ul style="list-style-type: none"> • Change of designation re statutory scrutiny officer and s.151 officer 	<ul style="list-style-type: none"> • A
Article 11	<ul style="list-style-type: none"> • Refreshed principles of good decision-making • Clarification of how responsibility for decision making/functions is determined 	<ul style="list-style-type: none"> • C • A
Article 12	<ul style="list-style-type: none"> • Article deleted as it duplicated information incorporated in the scheme of delegation and relevant procedure rules. 	
Article 13	<ul style="list-style-type: none"> • Article deleted as information repeated in access to information rules; public engagement guide etc. 	
Part 3 (Functions)		
Council functions	<ul style="list-style-type: none"> • Compliance with regulations • Clarity of functions and delegations including what constitutes the budget and policy 	<ul style="list-style-type: none"> • A • A

Section	Key change	Design principle
	framework to meet statutory requirements <ul style="list-style-type: none"> • Addition of policy on council representation on outside bodies • Delegation of approval of finance and contract rules to audit committee 	<ul style="list-style-type: none"> • A • A
Local choice	<ul style="list-style-type: none"> • Inclusion of legislative framework for reference • Compliance with regulations • Clarity of functions and delegations 	<ul style="list-style-type: none"> • C • C • A
Cabinet	<ul style="list-style-type: none"> • Restructured to reflect the flow of delegation • Clarity regarding powers to amend budget and policy 	<ul style="list-style-type: none"> • A • A
Overview and scrutiny	<ul style="list-style-type: none"> • Clearer reflection of statutory powers and duties 	<ul style="list-style-type: none"> • A
Other functions	<ul style="list-style-type: none"> • Clarification that planning and regulatory committee does not have responsibility for planning or licensing policy and performance • Clarification of sub-committee/ responsibilities • Inclusion of standards panel as per Council decision • Removal of employee appeals in line with employment policies • Audit and governance functions specified in one place • Employment panel as consultee of terms and conditions • Role in relation to politically restricted posts removed in line with legislation 	<ul style="list-style-type: none"> • A • A • A • A • A • A • A
Additional arrangements	<ul style="list-style-type: none"> • Clarification of ability to establish working groups, and membership. • Role of ward councillors removed as not informal and covered in new guides in part 5 • Title changed from 'informal arrangements' to 'additional arrangements' to reflect range of bodies covered • Inclusion of independent remuneration panel 	<ul style="list-style-type: none"> • A, C • A, B, • A, C • A, C
Officer functions	<ul style="list-style-type: none"> • Proper officer and officer functions combined • Types of officer decisions clarified 	<ul style="list-style-type: none"> • A • A, C • A, C

Section	Key change	Design principle
	<ul style="list-style-type: none"> • £50k limit below which decisions will not need to be published • Appendix 1 removed - chief executive scheme of delegation to be published separately given frequency of updates and level of operational detail 	<ul style="list-style-type: none"> • A, C
Part 4 (Rules)		
Council and committee	<ul style="list-style-type: none"> • Public and member question provision extended to wider range of public meetings, with revised and consistent process for all • Simplification of descriptions of types of meeting and business to be conducted (including order of business where relevant) • Confirmation of ability to provide notices electronically • Inclusion of relevant elements from previous petitions scheme • Removal of deputations provision given ability to ask questions and/or present petitions, and greater flexibility for member motions • Removal of limit of number of notices on motion at any one meeting and replacement with overall time limit to be managed at discretion of the chairman • Summary of time limits on speeches provided in table form • Clarity regarding process for amendments to motions including flow chart • Clarity re application of the code of conduct at meetings • Clarity re purpose of annual report from leader • Requirement for report back to Council on motions calling for consideration by another body of the council • Restating or rules on confidentiality 	<ul style="list-style-type: none"> • D • A, B, C • B • D • A • B • A, B • B • C • B, C • B, C • C
Access to information	<ul style="list-style-type: none"> • Clarification of exempt and confidential matters • Clarification of requirements to publish officer decisions 	<ul style="list-style-type: none"> • B, D • B, C, D
Budget and policy	<ul style="list-style-type: none"> • Clarification of role of scrutiny 	<ul style="list-style-type: none"> • B • B, C

Section	Key change	Design principle
	<ul style="list-style-type: none"> • Clarification of amendment processes including alternative budget 	
Cabinet	<ul style="list-style-type: none"> • Removal of elements duplicated in part 3 • Clarification of rights to attend and speak • Inclusion of provisions for questions 	<ul style="list-style-type: none"> • A, B, C • B, D
Scrutiny	<ul style="list-style-type: none"> • Clarification of co-optees • Clarification of task and finish arrangements to broaden member engagement • Call in process and limitations set out clearly including linking grounds to principles of decision-making • Call in period extended by one day • Call in no longer restricted to members of the relevant committee and number of signatories required increased accordingly. • Clearer provision for pre-decision scrutiny • Inclusion of provisions for questions • Executive decisions taken by officers subject to call in 	<ul style="list-style-type: none"> • A • A, B • A,D • B • B • B • B, D •
Contracts	Phase 2: to be delegated to audit and governance	
Finance	Phase 2: to be delegated to audit and governance	
Planning	<ul style="list-style-type: none"> • Clarifications re requirements for redirection and flexibility re timescale for requesting consideration of redirection • Removal of protocol for deferral and further report 	<ul style="list-style-type: none"> • A, B, C, D • A, C
Employment	<ul style="list-style-type: none"> • Clarification of existing authority for senior interim management arrangements under contracts for services • Clarification of designated posts • Clarification of requirement for declarations in relation to appointments • Consultee of employee terms and conditions including policies • Delegation to monitoring officer re invitation of independent persons to membership of a disciplinary panel 	<ul style="list-style-type: none"> • A, C • A, C • A, C • A, B • A

Section	Key change	Design principle
Part 5 (Codes and guidance)		
Code of corporate governance	<ul style="list-style-type: none"> • New code – incorporating previous code and principles from existing 'preamble' to constitution • Code now more directly linked to principles of good decision making 	<ul style="list-style-type: none"> • A, B, C, D • C
Councillor code of conduct	Phase 2: monitoring officer to progress with support from standards working group	
Employee code of conduct	Phase 2: delegated to chief executive following consultation with employment panel	
Member officer relations code	Phase 2: monitoring officer to progress with support from standards working group and head of human resources and organisational development	
Use of council resources by members	Phase 2: monitoring officer to progress with support from standards working group	
Gifts and hospitality code	Phase 2: monitoring officer to progress with support from standards working group and head of human resources and organisational development	
Confidential reporting code	<ul style="list-style-type: none"> • Updated to reflect policy approved by audit and governance committee 	<ul style="list-style-type: none"> • A, D
Planning code	<ul style="list-style-type: none"> • Updated to reflect current legislation • Removal of protocol for deferral and further report 	<ul style="list-style-type: none"> • A • A, C
Councillor call for action guide	<ul style="list-style-type: none"> • No substantive change 	
Public participation guide	<ul style="list-style-type: none"> • New guide 	<ul style="list-style-type: none"> • D
Roles of members guide	<ul style="list-style-type: none"> • New guide 	<ul style="list-style-type: none"> • A, B, D
Overview and scrutiny chairman's guide	<ul style="list-style-type: none"> • Removed in light of new guide above 	<ul style="list-style-type: none"> • A, B, D
Committee chairman's guide	<ul style="list-style-type: none"> • Removed in light of new guide above 	<ul style="list-style-type: none"> • A, B, D
Petitions scheme	<ul style="list-style-type: none"> • Deleted as no longer statutory requirement and relevant elements incorporated in council procedure rules and public participation guide 	<ul style="list-style-type: none"> • D

Section	Key change	Design principle
Audit and governance code	<ul style="list-style-type: none"> Deleted to minimise duplication as functions within part 3 	<ul style="list-style-type: none"> A
Part 6 (Allowances)		
Scheme	Phase 2: independent remuneration panel review to report to annual Council in May 2017	
Part 7 (Portfolios and committees)		
To be produced following adoption of revised constitution as purely a factual description.		