

Schedule of changes to the constitution

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

	Question	Con Ref	Recommendation	Design Principle
1.	<p>Currently the public are able to ask one question at all committees (save Regulatory and planning). Prior notice of the question is required with one supplementary at the meeting at the chairman's discretion.</p> <p>Questions have a criteria applied before being accepted 30 minutes allocated for questions to council, 15 minutes for other meetings.</p> <p>Do you agree that the public should be able to ask questions at all meetings? What changes do you think are required to the current process?</p>	<p>4.1.58 and 4.1.59</p> <p>4.1.49 New number</p> <p>5.8.14 4.1.43</p> <p>5.8.21; 5.8.22; 4.1.43; and 4.1.56</p> <p>4.1.43 5.8.14 4.1.51 and 4.1.52 4.1.54</p> <p>4.1.47 5.1.16 4.1.49 (a) 5.8.19 4.1.56 5.8.25</p>	<p>Delete paragraph because questions can be asked at cabinet or committee</p> <p>Amend (c) – so words in brackets a separate criteria and inserted a new number Insert sentence “Monitoring officer is authorised to direct an accepted question to the relevant committee” 5.8.14 - Insert in writing and address” 4.1.68 insert address (NB: website will need to be changed if amendment approved)</p> <p>Insert “and answers” 5.8.22 and 4.1.43 – 4.1.56 - insert wording “Answers to accepted questions will be published before the start of the meeting” and delete words “a question”</p> <p>Change to deadline for questions from 2 working days to 3 working days to reflect that answers will be published prior to the meeting. (NB: website will need to be changed if amendment approved) (NB: operational process for dealing with questions to be reviewed)</p> <p>Delete as questions and answers will not be read as they will be published prior to the meeting. Delete the word “also” Replace word “put” with “ask” Delete rest of sentence from “without notice” to full stop Delete wording to remove limit (NB: website will need to be changed if amendment approved) Change from 70 words to 140 (NB: website will need to be changed if amendment approved) Insert wording to reflect responses to be provided within 14 days.</p>	D
2.	<p>Should this apply equally to members questions? What changes do you think are required to the current process?</p>	4.1.67	<p>As above</p> <p>Delete words “two” and “Tuesday”.</p>	B

	Question	Con Ref	Recommendation	Design Principle
		4.1.69 New number 4.1.76 4.1.69 (a) 4.1.56, 4.1.76, 5.2.25	<p>Insert words "three" and "Monday"</p> <p>NB: How all councillors can participate in the democratic process document to be updated</p> <p>Amend (c) – delete words in brackets and inserted a new number Insert to give monitoring officer is authorisation to direct an accepted question to the relevant committee"</p> <p>Insert the words "will be published prior to the meeting. An answer to a ..."</p> <p>Insert words "within fourteen days of the meeting"</p> <p>Change from 70 words to 140</p> <p>NB: How all councillors can participate in the democratic process document to be updated</p> <p>Insert wording to reflect responses to be provided within 14 days.</p> <p><i>NB Solicitor to the council change - consistency - now 10 days in accordance with corporate council response times</i></p>	
3.	Scrutiny activity is currently carried out by three committees: Is this balance of responsibilities working effectively? If no please outline the concern.	3.4.5	<p>Insert word "Budget" into the remits of adult and wellbeing scrutiny committee; children and young people scrutiny committee and general scrutiny committee.</p> <p><i>NB Solicitor to the council change - typographical -also inserted words "and policy framework"</i></p>	C
4.	The constitution currently requires the annual review of code of conduct complaints by the Audit and Governance committee. What should this report contain?	3.5.14(f)	Insert the words "overall figures and trends and reference to the number of complaints upheld by reference to unitary and town parishes".	C
5.	<p>Council has agreed that the arrangements for determining breaches of the code of conduct for members will include, where the matter cannot be resolved informally, the consideration of the complaint by the standards panel.</p> <p>The function of the panel is to consider submissions made either in person or in writing by the complainant, the subject member and the monitoring officer and produce a report for consideration by audit and governance committee or parish council as appropriate.</p> <p>Is this arrangement appropriate?</p> <p>The code of conduct complaint procedure agreed by the audit and governance committee is that wherever possible the MO will resolve complaints in consultation with the Independent person. The MO decision is final. Reference to the standards panel will occur where a formal investigation has taken place and MO resolution is not appropriate. Are these arrangements appropriate?</p>	<p>New Number</p> <p>3.5.17</p> <p>2.8.24</p> <p>2.8.22</p>	<p>"New number / function: "The panel will also undertake an annual sample review of decisions made by the Monitoring Officer under the code of conduct complaints procedure."</p> <p>Inserted: appeals process</p> <p>Insert words to reflect appeal and sampling</p> <p>A member of the audit and governance committee.</p>	
6.	How can the HWBB be improved? If no please set out what alternatives you would propose?	2.8.9 2.8.10 2.8.12 3.5.23	Amendments to: Membership Voting Functions of the board	
7.	Is redirection clear?	4.8.18	Change word from "apply" to "occur"	

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		4.8.30	Inserted "together with the Member to the re-direction" Inserted "decision will be confirmed in writing"	
8.	Director of public health recruitment – make it clear that the recruitment process is run under Public Health England regulations and not solely in the remit of the employment panel	4.9.5	New sentence "Where the appointment is for the director of public health, this process is undertaken jointly with the secretary of state for health in accordance of Section 73a of the National Service Health Act 2006"	C
9.	Are there sufficient meetings of the full council	4.1.13 (row 2)	Insert words "A minimum of" starting "Ordinary Meetings" Added in column for numbering to allow accurate cross-referencing Minimum number meeting would have to be held even if no business so amendment made	B
10.	Overruns of council meetings	4.1.17	Insert words "Where the chairperson considers that the meeting may exceed 3 hours, then notice will be given at the time of publication of the agenda that the meeting will become an all day meeting"	B
	Motions to be capped.	4.1.86	Insert words "to a maximum of 3"	B and C
11.	Postponement of meetings (currently the chairman can cancel not but postpone)	4.1.19	Insert words "or postpone"	A
12.	Revision to process for amendments to notices of motion in council debate	Part 4, Section 1, Appendix 1,	Insert onto flowchart: 1. At bottom of page Asterisk which states "Amendments to motions can be moved at any time during the debate" 2. At bottom of page add: "Please note that this flowchart does not apply to the annual budget debate. The budget debate rules are set out in Part 4, Section 3 of the constitution"	
13.	Agreed motions to council are not being acted upon by officers in a timely manner, sometimes not at all	4.1.15	At line 20 insert "Report will also include progress of all outstanding resolutions." Inserted numbering on table to aid accurate cross-referencing	C
14.	Personal explanation need to make it clear	4.1.128	Insert words "or misquoted"	B
15.	Gender neutral constitution	Various	Replace word chairman with chairperson Replace he/she with they	
16.	3.4.2 - scrutiny functions. Executive functions would only be reported to council.	3.4.2 (b) and (d)	Deleted words: "all the cabinet" and "the authority or to"	Typo
17.	Planning: neighbourhood plans. Council function and council delegated on 20 May 2016 to a cabinet member. This needs to be captured in the council function but this operational so should it be record of officer decision.	3.1.1	New Appendix 1 for specific express delegations.	
18.	Annual review of constitution	3.15.12 (a)	Inserted actual review function	C