

# **REVIEW OF THE CONSTITUTION IN RESPECT OF THE SCHEME OF DELEGATION FINANCIAL AND CONTRACTUAL PROCEEDINGS AS A RESULT OF DIRECTOR OF RESOURCES SPECIAL INVESTIGATION REPORT**

**Report By: Head of Legal and Democratic Services on Behalf of the Returning Officer**

## **Wards Affected**

County-wide.

## **Purpose**

To progress elements of the action plan in response to the Special Investigation Report on Financial Governance dated 21st September 2007 which required amendments to the Constitution. The relevant elements of the action plan are attached as Appendix 1.

## **Financial Implications**

In respect of amendments to the Constitution there are none other than the officer resource and publication of amendments. Training for officers and members on the implication of the proposed change to the Constitution will need to be arranged.

## **Considerations**

1. The Director of Resources following a Special Investigation Report into financial governance issues in respect of ITC Services sought cabinet approval to the action plan, which amongst other matters, recommended changes to Part 12 of the Constitution currently "officers responsibilities" now renamed.  
"Scheme of Delegation to Officers",  
Appendix 3 Policy Framework and budget rules  
Appendix 4 – Financial Procedure rules  
Appendix 5 – Contracts Procedure Rules.
2. Members should also note that this is a challenging timescale and the Council should acknowledge the work carried out by the Director of Resources, the finance team and all those who responded to enable this significant work to be completed within the timescale set out in the Action Plan.
3. All the relevant appendices have been completely revised to reflect the issues raised within the action plan. Members shall note that further revisions may follow as a result of any further recommendations made by the independent review.
4. The Chief Executive (Head of Paid Services) and the Head of Legal and Democratic Services have been consulted on the proposed changes.

5. Members are referred to the Scheme of Delegation and in particular paragraph 12.4.4. c) consultation with local members. The Council may need to consider further clarification and definition of consultations with local members especially regarding issues of Market Towns and Schools which may affect more than 1 local member. The Head of Legal and Democratic Services together with the Chief Executive and Director or Resources will require more time to reflect on the impact of such issues regarding local members and how best to consult on such issues. That should not however delay the adoption of these important changes.
6. Training will be given to both Officers and Members on what the revisions will require and their implications and a strategy for such training will be agreed by the Director of Resources, Internal Audit and Head of Legal and Democratic Services.

## RECOMMENDATION

### THAT

- (a) **the revised Scheme of Delegation to Officers set out at Appendix 2 of this report be adopted within the Constitution and replace the existing officer responsibilities; and**
- (b) **the following revised Appendices be adopted**

**Appendix 3 - Policy Framework and Budget Rules**  
**Appendix 4 – Financial Procedure Rules**  
**Appendix 5 – Contractual Procedure Rules**

### BACKGROUND PAPERS

- Appendix 1 relevant part of Action Plan from Director of Resources
- Appendices of revised Codes and Part 12 of the Constitution