

REVIEW OF THE SCHEME OF DELEGATION, BUDGET AND POLICY PROCEDURE RULES, FINANCIAL PROCEDURE RULES AND CONTRACT PROCEDURE RULES

Report By: DIRECTOR OF RESOURCES

Wards Affected

County-wide.

Purpose

To seek the Audit & Corporate Governance Committee's approval to proposed revisions to the Constitution in line with the resolution made by Council on 2nd November, 2007.

Financial Implications

There are no financial implications arising as a direct result of this report. Enhancements to the corporate governance framework and greater compliance with it will ensure that the Council optimises its use of resources.

RECOMMENDATION

THAT: Subject to any further views the Audit & Corporate Governance Committee has, the proposed amendments to the Constitution attached to this report be approved for further consideration as part of the Constitution review process.

Reasons

To advise the Constitution Review Working Group of amendments to the revised Scheme of Delegation, Budget and Policy Procedure Rules, Financial Procedure Rules and Contract Procedure Rules the Audit & Corporate Governance Committee considers appropriate

Considerations

1. Council received revised Constitution documents on 2nd November, 2007 in line with the agreed timetable for implementing the action plan that accompanied the Director of Resources' special report on financial governance issues in ICT & Customer Services. Council resolved to refer them formally to the Audit & Corporate Governance Committee and the Standards Committee prior to consideration by the Constitution Review Working Group. The Council further resolved to hold a member seminar on

Further information on the subject of this report is available from
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the proposed changes prior the next scheduled Council meeting when the documents (as revised) would be considered.

2. The Audit & Corporate Governance Committee decided on 16th November, 2007 to set up a Working Group to review the draft revisions to the Constitution as presented to Council on 2nd November, 2007. Councillors A.C.R. Chappell, M.J. Fishley, R.H. Smith and A.M. Toon volunteered to be members of the Working Group.
3. The Working Group met on 22nd November, 2007, but Councillor A.M. Toon was unable to attend as planned due to illness. The Working Group had the benefit of comments from the former Chief Executive and took these into account in making amendments to the documents.
4. The documents have been further updated since that meeting to incorporate comments made by the Audit & Corporate Governance Committee on 30th November, 2007 with regard to contract procedures (explicitly precluding subdivision of a contract for works, goods or services in any way to avoid formal tendering procedures) and the arrangements for third party work.
5. The Audit & Corporate Governance Committee is now invited to approve the revised Constitution documents attached to this report in fulfilment of its obligation to offer advice on the adequacy of internal control arrangements. Once approved by the Committee, these documents will be the subject of further consideration by the new Chief Executive, the Monitoring Officer, the Standards Board, the Constitution Review Working Group, Cabinet and full Council.
6. As overall guardian of the Council's Constitution, the Monitoring Officer shall be establishing the remainder of the timetable for implementing the Council's resolution on revising these four elements of the Constitution plus any other elements of the Constitution they impinge on.

Risk Management

The proposed revisions to the financial governance elements of the Council's Constitution are designed to mitigate the risk of non-compliance with financial policies and procedures and optimise the use of resources.

Background Papers

Attached are the revised Scheme of Delegation, Budget and Policy Procedure Rules, Financial Procedure Rules and Contract Procedure Rules as amended by the Working Group referred to in paragraphs 2 and 3 of this report. The originating documents were considered by full Council on 2nd November, 2007. Once approved by this Committee, these documents will be further considered as described in paragraph 5 of this report.