

Meeting:	Audit and governance committee
Meeting date:	Wednesday 21 March 2018
Title of report:	Constitution review working group update
Report by:	Solicitor to the council

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose and summary

To update the committee on the progress of the constitution review working group. To provide assurance on the progress being made is sufficient to meet the timescales and objectives set.

Recommendation(s)

That:

- (a) the committee review progress to date of the working group and recommend any further actions which may be needed**

Alternative options

1. There are no alternative options as the report provides a summary of the working group

Key considerations

1. The working group was established by this committee on 29 November 2017 to “To oversee a review of the constitution, ensure that opportunities for members to engage in the review process are appropriate and communicated effectively, and recommend any changes to the committee ensuring that any such recommendations align to the design

principles. The intention is to conduct a review to ensure the constitution remains fit for purpose and is operating as intended to meet the agreed design principles.”

2. Volunteers for the group were sought and Councillors Anderson, Bowen, James, Jinman, A Johnson, Norman, Seldon (replaced by Powers), Swinglehurst and Wilcox form the group with Councillors Chappell, Harvey and Newman from this committee.
3. Consultation with members using survey monkey took place between 5 December 2017 to 14 January 2018. Consultation with officers took place via email between the 4 January to 24 January 2018.
4. The working group have met on three occasions - 18 December 2017, 12 February 2018 and 12 March 2018.
5. The work to date has included a review of the whistleblowing policy and ongoing consideration of the issues raised via the consultation process. A further three meetings are scheduled to ensure that as much as possible all matters are considered and recommendations made for the 8 May committee meeting. This will enable recommendations of changes to the constitution to be made to full Council on 25 May 2018 in accordance with the design principles previously established.

Community impact

6. The recommendation supports the achievement of the council’s corporate plan priority of securing better services, quality of life and value for money. The constitution is a key part of the council’s governance arrangements and sets out how the council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. The format of the content of any amendments to the constitution should help make these arrangements clearer to understand and how the public can effectively engage with them.

Equality duty

7. Under section 149 of the Equality Act 2010, the ‘general duty’ on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
8. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying ‘due regard’ in our decision making in the design of policies and in the delivery of services. As this is a decision for noting we do not believe that it will have an impact on our equality duty.

Resource implications

9. There are no resource implications directly arising from this report as it is for information purposes only.

Legal implications

10. There are no legal implication directly arising from this report as it is for information purposes only.

Risk management

11. There are no risks directly arising from this report which is for information purposes only

Consultees

12. None

Appendices

None

Background papers

None