

Audit, Governance and Standards Committee

27 September 2018

REVIEW OF THE CONSTITUTION

Report of the Monitoring Officer

All Wards
Key Decision = N

1.0 Purpose of Report

- 1.1 To notify Members of the proposal to review the constitution and to propose a timetable and process for consultation.

2.0 Decisions Sought

- 2.1 Members are asked to agree the proposed course of action, proposed timetable and to discuss and approve the proposed consultation arrangements.

3.0 Link to Corporate Priorities

- 3.1 The Constitution links to, and supports, all corporate priorities.

4.0 Introduction and Background

- 4.1 Members will be aware that the Constitution is kept under a rolling review but it is good practice to undertake a more thorough review from time to time to ensure that the document is up to date, fit for purpose and generally reflective of the way that the majority of Members wish to undertake Council business.
- 4.2 The last general review was carried out by Audit, Governance and Standards Committee on 29 June 2016 (Minute AG14/16 refers) with a further update to Financial and Contract Procedure Rules on 30 July 2018 (Minute AG11/18 refers). Further updates have been carried out since then with the most recent being the changes to the complaints procedure considered in January 2018.
- 4.3 Following the completion of the boundary review process and the publication of the final recommendations at the end of April 2018, the size of the Council will reduce from 34 to 24 members. The Council's submission to the Boundary Commission presented a detailed analysis of the Council's current governance and decision making arrangements and this document will be used as the basis for taking forward options for a revised committee structure following a reduction in members, post the 2019 election. A revision to the Members' Allowance Scheme will also be required as a result of this change.
- 4.4 In the course of discussions with Group Leaders, Members and Officers, and in view of 4.3 above, it has become apparent that this would be an opportune time to

carry out a full review of the Constitution and set up a framework to deliver this within an agreed timescale.

5.0 Scope and timing of Review

- 5.1 The review will consider all parts of the Constitution but will focus on Part 3 covering Council Functions to reflect the changes proposed in membership size of each Committee as a result of the Boundary Review, Part 4 which are the general rules of procedure, and Part 5 covering Codes and Protocols.
- 5.2 The aim is to discuss proposed or desired changes with Members in the following months, with a report being brought to the next meeting of this Committee on 29th January 2019. The January meeting will then make a recommendation to Council for final approval of any agreed changes to take effect from the first meeting of the 2019/20 Municipal Year.

6.0 Consultation Process

- 6.1 It is intended to consult as widely as possible with both Members and officers across the Council to ensure a meaningful review and that the outcomes contribute to a constitution which allows for the Council to operate and make decisions in an efficient, transparent and accountable way.
- 6.2 The consultation could be conducted by way of working group, or remotely by correspondence but will need to capture ideas from all Members who have a proposal or comment to make. One way would be to focus comments through Group Leaders or nominated representatives from each group and input would also be expected from Chairs of Committees. The exact process to be followed will be discussed as part of the recommendation from this report and set out as a delegated instruction to the Democratic Services Manager.

7.0 Recommendation

- 7.1 To endorse the commencement of a review of the constitution.
- 7.2 To agree the timescale for the review commencing in September 2018 with a report to be presented to the January 2019 meeting of Audit, Standards and Governance Committee.
- 7.3 To agree the manner in which Members wish to undertake the consultation process and then to authorise the Democratic Services Manager to commence that process.

8.0 Corporate Implications

Scrutiny Consultation	There is no requirement to involve Scrutiny in a review of the Constitution as Audit, Standards and Governance Committee provides the scrutiny role for matters relating to Corporate Governance.
Community Engagement	Not applicable.
Environment and Sustainability	Not applicable.
Financial Implications	There are no financial implications

	associated with this report.
Legal Implications	There are no direct legal implications arising from the report, however updates to the Constitution may reflect legislative requirements or limitations.
Risk Implications	Ensuring a constitution which reflects legislative requirements will ensure the Council meets its obligations.
Human Resource Implications	Not applicable.
Equalities Implications	Not applicable.
Health and Safety Implications	Not applicable.

9.0 Further Information

9.1 Background Papers – None

9.2 File Reference – None

9.3 Appendices – None

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