

Review of the Constitution and Governance Arrangements

Summary

1. This report provides an update to members of the Audit & Governance Committee regarding the proposed review of the Constitution and the Council's Governance Arrangements.

Background

2. The Council's Executive is to consider a report on 26th September setting out proposals for a review of the Council's Constitution and of the Council's Governance Arrangements.
3. The report recommends that these two elements be dealt with separately but concurrently to facilitate an expedited approach to bringing the Constitution up to date and a more extensive review of the Governance Arrangements to include consideration of alternative decision-making models as permitted under the Localism Act 2011.

Role of the Audit & Governance Committee

4. Section 2, Article 9 of the existing Constitution sets out the Terms of Reference of the Audit & Governance Committee and in particular states:

“ensure the probity, propriety and lawfulness of all activities and transactions effected in the name of the Council;”

Further Section 3C Responsibility for Functions paragraph 7 of the Constitution sets out those specific functions delegated to the Audit & Governance Committee which include:

“13. To keep under review the Council's contract procedure rules, financial regulations, working protocols and codes of conduct and behaviour (not otherwise reserved to the Joint Standards Committee).

15. To consider the effectiveness of the Council's arrangements for corporate governance (including information governance).

19. To bring to Full Council all proposals for amendment to the Constitution submitted by Members in accordance with this Constitution.”

5. It is therefore important that the Audit & Governance Committee has oversight of these reviews and has input into any proposals to be considered by the Executive and to be recommended to Full Council.

Options

6. Members of the Audit & Governance Committee are asked to consider how they would wish to undertake their role as set out in paragraph 5 of this report. Reports can be brought directly to meetings of the Committee alternatively the Committee may wish to set up a Working Group to consider the detail of any proposals in advance of their presentation to the formal meetings.

Analysis

7. Not relevant for the purpose of this Report.

Council Plan

8. The Council's governance framework is key to facilitating how residents engage with the decision-making process. A review will provide an opportunity for the Council to engage with the public to understand how the framework can ensure that residents can participate in these processes to increase their confidence that decisions are robust and transparent.

Implications

9. There are no implications to this Report in relation to:

- Finance
- Human Resources (HR)
- Equalities
- Legal
- Crime and Disorder
- Information Technology (IT)
- Property

Risk Management Assessment

10. There are no significant risks in undertaking a review. There will need to be careful management of the timescales to comply with the legal requirements of the Localism Act 2011 especially in relation to any proposed changes to the decision-making arrangements and to take account of the meeting dates of various Council committees and the Full Council dates.

Recommendations

11. (i) That the Report be noted.
- (ii) That the Committee considers how it wishes to undertake its role to meet the Committee's obligations set out in the Council's Constitution and paragraph 5 of this report.

Reason: To ensure that the Audit & Governance Committee is undertaking its role as set out in the Council's Constitution and paragraph 5 of this report.

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Approved

Wards Affected: List wards or tick box to indicate all

All

For further information please contact the author of the report