

Constitutional Updates and Council Delegations

REPORT TO FULL COUNCIL



DATE	22/02/2017
PORTFOLIO	Leader
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PURPOSE

1. To inform Members of the consequential and minor amendments to Part 3 of the constitution made by the Monitoring Officer, mainly relating to the changes in Senior Management which have taken effect since the 21st December 2016 Full Council meeting .
2. To inform Members of the consequential and minor changes made to the constitution, by the Monitoring Officer, mainly relating to the changes in Senior Management which have taken effect since the last meeting of Full Council;
 - (a) Part 2 Articles
 - (b) Part 4.6 Financial Procedure Rules
 - (c) Part 4.8 Officer Procedure Rules
3. To consider the approval of non - minor changes requiring Council approval where relevant for;
 - (a) Part 4.7 Standing Orders for Contracts (Appendix 1)
 - (b) Part 5.9 Protocol for Awards to Recognise Service to the Community or the Council - relating to a Certificate of Honour (Appendix 2)
 - (c) Part 5.1 Code of Conduct regarding the training of Members relating to Equality and Diversity and Child Sexual Exploitation

RECOMMENDATION

4. That the consequential and minor amendments to Part 3 of the constitution made by the Monitoring Officer relating to the changes in Senior Management ,which have taken effect since the last meeting, be noted
5. That the consequential and minor changes made to the constitution relating to the changes in Senior Management, which have taken effect since the last meeting as follows, be noted;
 - (a) Part 2 Articles

(b) Part 4.6 Financial Procedure Rules

(c) Part 4.8 Officer Procedure Rules

6. To approve non minor changes requiring Council approval where relevant for;
- (a) Part 4.7 Standing Orders for Contracts (Appendix 1)

(b) Part 5.9 Protocol for Awards to Recognise Service to the Community or the Council relating to a Certificate of Honour.

(c) Part 5.1 Code of Conduct , regarding the training of Members relating to Code of Conduct/ethical standards, Equality and Diversity and Child Sexual Exploitation to be made annual and mandatory.

REASONS FOR RECOMMENDATION

7. To ensure that the requirements of the constitution are upheld, and that maximum transparency is maintained.

SUMMARY OF KEY POINTS

8. Changes to Part 3

Consequential Minor Amendment to Part 3 by the Monitoring Officer.

At the last meeting of Full Council on 21st December 2016 it was confirmed that a Chief Operating Officer had been appointed and that the posts of Director of Resources and Director of Community Services would no longer exist.

This took effect from 1st January 2017 , and the Monitoring Officer has used his delegated powers, as stated in the constitution, to consequentially amend Part 3 of the constitution.

An updated version has been published on the Council's website at <http://www.burnley.gov.uk/about-council/other-information/constitution>

9. Changes to the Constitution other than Part 3 - minor

Consequential Minor Amendments to Parts 2, 4.6 and 4.8 by the Monitoring Officer

At the last meeting of Full Council on 21st December 2016 it was confirmed that a Chief Operating Officer had been appointed and that the posts of Director of Resources and Director of Community Services would no longer exist.

This took effect from 1st January 2017 , and on the Monitoring Officer has used his delegated powers, as stated in the constitution, to consequentially amend the following parts of the constitution.

Part 2 Articles

Part 4.6 Financial Procedure Rules

Part 4.8 Officer Procedure Rules

Updated versions have been published shortly on the Council's website at <http://www.burnley.gov.uk/about-council/other-information/constitution>

10. Changes to the Constitution other than Part 3 – non minor changes require Council approval

(a) Part 4.7 Standing Orders for Contracts – **a number of changes to be approved in order to update and improve the implementation of the Standing Orders for Contracts**

(b) Part 5.9 Protocol for Awards to Recognise Service to the Community or the Council - relating to a Certificate of Honour

In order to clarify the process regarding a Certificate of Honour, for which there is no limit to the number of nominations/awards, the proposal is for Member Structures Working Group to be able to agree the award and for the **following addition** to be made to Part 5.9 Protocol for Awards to Recognise Service to the Community or the Council ;

“In the case of a Certificate of Honour, the decision to award can be made by the Member Structures Working Group, without the need for Full Council approval.”

(c) Part 5.1 Code of Conduct - training requirements relating to Equality and Diversity and Child Sexual Exploitation.

The 8th February 2017 Member Structures Working Group have recommended that Part 5.1 Code of Conduct for Members, **Paragraph 3.1, be amended** to state that the mandatory training for Code of Conduct/ethical standards for Members be made annual, and that Member Training on Equality and Diversity and Child Sexual Exploitation also be undertaken annually and be mandatory.

“3.1 All members must attend training on the Code of Conduct/ethical standards on being elected/re-elected to the Council. Thereafter it will be a requirement to attend this training annually. All members must also attend training on Equality and Diversity and Child Sexual Exploitation annually.”

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

11. None.

POLICY IMPLICATIONS

12. None.

DETAILS OF CONSULTATION

13. Member Structures Officer & Working Group.

BACKGROUND PAPERS

14. None.

FURTHER INFORMATION

PLEASE CONTACT: Eric Dickinson

ALSO: