

CONSTITUTION WORKING GROUP

Draft Terms of Reference

1. Purpose

The Constitution Working Group has been established by Council to refresh the Constitution and ensure that it is fit for purpose. It will undertake this role by:

- a) Considering any changes proposed by Members & Officers are within scope (Schedule 1), ensure that they are fit for purpose and put forward appropriate changes;
- b) Recommending proposed changes to Council for approval.
- d) Overseeing the implementation of a remodelled Constitution, once approved by Council, and agree any minor changes to the Constitution to correct slips, errors and omissions.

2. Membership

The Constitution Working Group shall comprise of five members and will not be politically balanced.

Seat allocation:

Liberal Democrat group	2 seats
Conservative Group	1 seat
Independent Group	1 seat
Labour Group	1 seat

3. Appointment to the Constitution Working Group

Members will be appointed to the Constitution Working Group at the November 2021 Council Meeting.

4. Chairman and Vice Chairman

The Chairman and Vice Chairman of the Constitution Working Group will be appointed at the first meeting of the group.

5. Voting

Any vote will be subject to a simple majority. In simple majority voting the Chairman will have a casting vote.

6. Quorum

The quorum of a meeting of the Constitution Working Group will be three.

7. Frequency of Meetings

The Constitution Working Group will meet as and when required. All meetings will be held in private and dates and times of meetings will be agreed by the Working Group. Provided all members of the Working Group are in agreement minor changes to the Constitution can be agreed via e-mail without the need to hold a formal meeting.

8. Minutes of Constitution Working Group Meetings

The Working Group shall agree the minutes at the next suitable meeting.

9. Administration of the Constitution Working Group

Agendas will be sent out five clear working days before the meeting and minutes will be provided seven clear working days after the meeting

Scope

Areas In Scope

The following are matters in scope of the refresh:

Articles

Key Decision definition

Legislative updating

IRP recommendations and Council Implementation of recommendations

Statutory Officer discipline process to include an Independent person panel as required by the Local Authorities (Standing Orders) (England) Regulations 2001 as amended by the 2015 Amendment Regulations. And implement the JNC Terms & Conditions of Service for Chief Executives and Chief Officers

Responsibility for functions (save for Planning Scheme of Delegation which was considered by Council in May 2021)

Glossary

Areas Out of scope

The following are matters are out of scope of the refresh:

Code of Conduct (Council adopted LGA Model in 2021).

Planning Scheme of delegation & Planning Code of Conduct (recently refreshed by Council in May 2021 following High Court challenge).

Contract Standing Orders (the Public Contract Regs 2015 are based on EU directives. Following Brexit the Government is consulting on new regulations which are expected to be published in April 2022). Procurement have proposed a stand alone review of CSOs. That review may not meet the deadline of May 2022.

Rules of Procedure (save for a refresh of best practice in other Local Authorities in respect of public participation and questions to aid time management).

Policy Framework as this is currently limited to the statutory minimum to reflect the list of plans required to be submitted to both Cabinet and Council under the Functions and Responsibilities Regulations 2000.

Members Allowances (recently refreshed May 2021).

Financial regulations (the refresh requires Finance input which will be heavily involved in budget setting during this period- propose a phased approach with these considered in phase 2 May - November 2022).

Management structure

Terms of reference of Council bodies (save for :

Alice Park Trust membership and quorum

Employment & Restructuring Implementation Committee to reflect changes to statutory officer disciplinary process

Health & Care Board to consider its relevance following CCG(BSW) & integrated care changes).

Local Area Committees (these are not used presently)