

Title of Report:	Changes to the Constitution – Part 13 Codes and Protocols
Report to be considered by:	Council
Date of Meeting:	15 May 2014
Forward Plan Ref:	C2776

Purpose of Report: To review and amend sections of Part 13 (Codes and Protocols) i.e. Appendices I (Councillor Call for Action Protocol) and J (Protocol for Council Representation on Outside Bodies) in light of legislative changes, policy changes and recent government guidance.

Recommended Action:

1. To consider the amendments and any additional changes required and recommend them to Full Council for approval.
2. To agree that the changes will come into effect on the 16 May 2014.

Reason for decision to be taken: To ensure that the Council has adjusted the scheme in light of legislative and policy changes.

Other options considered: Not to agree the changes

Key background documentation: None

The proposals will help achieve the following Council Strategy principles:	
<input checked="" type="checkbox"/>	CSP7 - Empowering people and communities
<input checked="" type="checkbox"/>	CSP8 - Doing what's important well
The proposals contained in this report will help to achieve the above Council Strategy principles by: Ensuring that the Constitution is up to date	

Member Details	
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Date Member agreed report:	At Governance and Audit Committee on 28 April 2014

Contact Officer Details	
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Implications

Policy: Will require changes to the Constitution
Financial: None – will be undertaken within existing resources.
Personnel: None
Legal/Procurement: Will require the Constitution to be updated
Property: None
Risk Management: None

Is this item relevant to equality?	Please tick relevant boxes		Yes	No
Does the policy affect service users, employees or the wider community and:				
• Is it likely to affect people with particular protected characteristics differently?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
• Is it a major policy, significantly affecting how functions are delivered?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
• Will the policy have a significant impact on how other organisations operate in terms of equality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
• Does the policy relate to an area with known inequalities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Outcome (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)				
Relevant to equality - Complete an EIA available at www.westberks.gov.uk/eia			<input type="checkbox"/>	
Not relevant to equality			<input checked="" type="checkbox"/>	

Is this item subject to call-in?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval	<input checked="" type="checkbox"/>	

Executive Summary and Report

1. Introduction

- 1.1 Following an internal audit of the management of the Constitution in 2010 it was noted that one of the responsibilities of the Finance and Governance Group is to have ownership of the Council's Constitution. The content of the Local Code of Corporate Governance says that there will be an annual review of the operation of the Constitution.
- 1.2 A timetable has been established for the Finance and Governance Group to review individual sections of the Constitution and a number of Officers have been involved in revising specific parts of the Constitution. This report proposes amendments to sections of Part 13 (Codes and Protocols) i.e. Appendices I (Councillor Call for Action Protocol) and J (Protocol for Council Representation on Outside Bodies) of the Council's Constitution in light of legislative changes, policy changes and recent government guidance.

2. Part 13 Codes and Protocol – Appendix I (Councillor Call for Action)

- 2.1 The following minor changes have been made to the document by Officers:
- (a) The correction of the job title of the Scrutiny and Partnerships Manager and the Overview and Scrutiny Management Committee,
 - (b) The correction of some typographical errors and an amendment to reflect the procedure in terms of making recommendations to other committees or boards.

3. Part 13 Codes and Protocol – Appendix J (Protocol for Council Representation on Outside Bodies)

- 3.1 The following minor changes have been made to the document by Officers:
- (a) The document has been aligned to the recently agreed Gifts and Hospitality Protocol for Members.
 - (b) The sections pertaining to Members Interests have been updated to take cognisance of the new local Code of Conduct for Members.

4. Proposals

- 4.1 It is proposed that the amendments to Part 13 Appendices I and J of the Council's Constitution be approved.

5. Equalities Impact Assessment Outcomes

- 5.1 This item is not relevant to equality.

6. Conclusion

- 6.1 The report is a required update to take cognisance of legislative and policy changes. For the avoidance of doubt the changes will come into effect on the 16 May 2014 if approved.

Appendices

Appendix A – P13 Appendix I – Councillor Call for Action

Appendix B – P13 Appendix J – Protocol for Council Representation on Outside Bodies

Consultees

Local Stakeholders: N/a

Officers Consulted: Andy Day, Sarah Clarke, Moira Fraser, Finance and Governance Group, Ian Priestley, David Lowe, Corporate Board

Trade Union: Not consulted