

# Decision Pathway – Report Template



**PURPOSE:** For reference

**MEETING:** Audit Committee

**DATE:** 02 May 2018

<b>TITLE</b>	Proposed Constitution Changes		
<b>Ward(s)</b>	Citywide		
<b>Author:</b> Shahzia Daya	<b>Job title:</b> Monitoring Officer		
<b>Cabinet lead:</b> Mayor	<b>Executive Director lead:</b> N/A		
<b>Proposal origin:</b> BCC Staff			
<b>Decision maker:</b> Full Council			
<b>Decision forum:</b> Full Council			
<b>Timescales:</b> Papers published for Full Council on Monday 14 <sup>th</sup> May. Mayor and Party Group Leaders meeting to discuss the constitution currently scheduled for Tuesday 8 <sup>th</sup> May.			
<b>Purpose of Report:</b> For Audit Committee to comment on the proposed changes to the Constitution (Appendix A) and to discuss and comment on the following tracked change documents: <ul style="list-style-type: none"> <li>• Member Code of Conduct - Appendix B</li> <li>• Member / Officer Protocol – Appendix C</li> <li>• Audit Committee Terms of Reference –Appendix D</li> <li>• Proposed Value and Ethics Committee Terms of Reference – Appendix E</li> <li>• Finance (to follow) and Procurement regulations - Appendix F</li> <li>• Minutes from 25<sup>th</sup> January 2018 Audit Committee - Appendix G</li> </ul>			

## Evidence Base:

Please see minutes from the January Audit Committee report where the terms of reference were discussed and the wider constitution changes were referenced: <https://democracy.bristol.gov.uk/documents/s20341/3%20-%20Printed%20minutes%2025th-Jan-2018%2014.00%20Audit%20Committee.pdf>

- **Member Code of Conduct** - proposed changes in line with the recommendations from the Committee on standards on Public life 2013 and to include declaration on non-pecuniary interests. There have been minor changes set out as tracked changes from the document circulated in June and October 2017.
- **Member / Officer Protocol** – this document is updated from the 2002 Protocol available on the website: <https://www.bristol.gov.uk/documents/20182/34176/cs-constitution-part5-member-officer-relations.pdf/6f878382-1306-444a-a98e-6ee7e60e7747> . This update has been based upon the WECA Protocol which was produced in accordance with best practice. There have been some minor changes to the document circulated in June and October 2017 which are highlighted as tracked changes.
- **Audit Committee Terms of Reference** – proposed recommendation that an independent Chair be introduced in response to the Bundred Report and on best practice recommendations from CIPFA. There has been no change to this proposal put forward in June and October 2017. The Terms of Reference also include the redrafting agreed by the Committee for debate at Full Council in January 2018 and are aligned to the proposed Value and Ethics Committee.
- **Value and Ethics Committee** – proposed reintroduction of a Standards Committee. Bristol differs from other Core Cities in that it does not have a Standards Committee and complaints about Members are reviewed only by the Monitoring Officer and not be a member committee. It is recommended following feedback form Party Group.

Leaders that if this committee were introduced that there be a majority of independents sitting on the committee. There has been no change to the proposal put forward in June and October 2017.

- **Finance regulations** – proposed changes to improve the accessibility of the language and to reflect some legislation changes. These changes have not been circulated previously.
- **Procurement regulations** – the regulation include increased focus on social value and were drafted in consultation with the Scrutiny Task and Finish Group. There has been no change to the proposals as seen by Scrutiny and also published as part of the January 2018 Full Council papers (this item was postponed).

**Officer Recommendations:**

For Members of the Committee to provide feedback on the proposed changes and for this to inform the discussions between the Monitoring Officer and Mayor and Party Group Leaders.

**Corporate Strategy alignment:** There is a statutory requirement for the Council to have a Constitution and good practice for that Constitution to be refreshed by the Monitoring Officer in consultation with Members per annum.

**City Benefits:** There is a statutory requirement for the Council to have a Constitution and good practice for that constitution to be refreshed by the Monitoring Officer in consultation with Members per annum.

**Consultation Details:** At the time of publishing feedback on the overarching proposals had been received by the Mayor and PGL from three of the parties. Feedback had also been received from the briefings given in June and October 2017 which resulted in a number of the proposals being altered or not going ahead.

<b>Revenue Cost</b>	£- N/A	<b>Source of Revenue Funding</b>	N/A
<b>Capital Cost</b>	£ - N/A	<b>Source of Capital Funding</b>	N/A
<b>One off cost</b> <input type="checkbox"/>	<b>Ongoing cost</b> <input type="checkbox"/>	<b>Saving Proposal</b> <input type="checkbox"/>	<b>Income generation proposal</b> <input type="checkbox"/>

**Required information to be completed by Financial/Legal/ICT/ HR partners:**

**1. Finance Advice:** Finance team leaders and Managers have drafted the update to the Finance regulations and are involved in the redrafting of the procurement regulations.

**Finance Business Partner:** Not applicable – key officers include Chris Holme, Mike Pilcher and Tony Whitlock

**2. Legal Advice:** Proposed changes to the Constitution are in line with the Monitoring Officer’s responsibilities as set out in the Constitution.

**Legal Team Leader:** Shahzia Daya

**3. Implications on ICT:** Not sought

**ICT Team Leader:** Not sought

**4. HR Advice:** not sought

**HR Partner:** not sought

<b>EDM Sign-off</b>	N/A	
<b>Cabinet Member sign-off</b>	N/A	
<b>CLB Sign-off</b>	N/A	
<b>For Key Decisions - Mayor’s Office sign-off</b>	N/A	

<b>Appendix A – Further essential background / detail on the proposal</b>	<b>YES</b>
<b>Appendix B – Details of consultation carried out - internal and external</b>	<b>NO</b>
<b>Appendix C – Summary of any engagement with scrutiny</b>	<b>NO</b>
<b>Appendix D – Risk assessment</b>	<b>NO</b>

<b>Appendix E – Equalities screening / impact assessment of proposal</b>	<b>NO</b>
<b>Appendix F – Eco-impact screening/ impact assessment of proposal</b>	<b>NO</b>
<b>Appendix G – Financial Advice</b>	<b>NO</b>
<b>Appendix H – Legal Advice</b>	<b>NO</b>
<b>Appendix I – Combined Background papers</b>	<b>N/A</b>
<b>Appendix J – Exempt Information</b>	<b>NO</b>
<b>Appendix K – HR advice</b>	<b>NO</b>
<b>Appendix L – ICT</b>	<b>NO</b>