

Audit Committee

26th March 2019



Report of: Service Director Legal & Democratic Services (Monitoring Officer)

Title: Review of the Constitution

Ward: Citywide

Officer presenting report: Tim O’Gara, Service Director Legal & Democratic Services (Monitoring Officer)

Recommendation

That the Committee notes the summary of the areas of the Council’s Constitution that will be reviewed during the next 6-12 months and provides any initial feedback regarding the proposed areas of focus.

It is recommended that the Monitoring Officer reports back to a subsequent meeting of the Audit Committee with an update on the work that is being undertaken to review and update the Council’s Constitution as outlined in this report.

Summary

Responsibility for reviewing the Council’s Constitution and making recommendations to Full Council was delegated to the Audit Committee in December 2018.

The review will ensure that the presentation and formatting of the Constitution is brought up to date and that the indexing and content pages are user-friendly, to ensure that it is accessible and reflects best practice publishing standards. The review will also make technical updates to legislation and post-titles.



Policy

1. The Audit Committee is a key component of the Council's governance framework. Its function is to provide an independent and high level resource to support good governance and effective public financial management.
2. The purpose of an Audit Committee is to provide those charged with governance, independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and annual governance processes.

Consultation

1. Internal

Not applicable.

External

Not applicable

Context

The review of the Constitution will initially focus on the following areas;

Part One – Summary and Explanation

No significant changes envisaged

Part Two – Articles of the Constitution

The Articles will be reviewed to ensure that the terms of reference and guiding principles are up to date.

Part Three – Responsibility for Functions

The responsibilities for functions will be updated to reflect the current decision-making procedures within the Council.

Part Four – Council Procedure Rules

This part of the Constitution will require a detailed review. For example, the Council and Committee Procedure Rules need to be reviewed to remove any inconsistencies and to reflect current practice. The Call-in Procedure will be clarified. The Petition Scheme needs to be updated to make the process more robust and transparent. There needs to be a read-across all of the procedure rules to ensure that they are internally consistent.

Part Five – Codes and Protocols

The Member Code of Conduct will be reviewed in light of the recommendations from the Committee on Standards in Public Life and the Member-Officer Protocol is currently under review.

Part Six – Members' Allowances Scheme

This is currently being reviewed by the Independent Remuneration Panel and will be updated in due course once a new scheme of allowances has been approved.

Part Seven – Council’s Management Structure

This section is for information only and links to the Council’s website.

Part Eight – Members’ Contact Details

This section is for information only and links to the Council’s website.

Part Nine – Mayor’s Forward Plan

This section is for information only and links to the Council’s website.

Officer Schemes of Delegation

These are kept under review by the Monitoring Officer and are updated as appropriate.

Other Options Considered

None necessary.

Risk Assessment

None necessary.

Legal and Resource Implications

Legal implications:

As set out in the report.

Financial:

(a) Revenue

Not applicable.

(b) Capital

Not applicable.

Land/Property

Not applicable.

Human Resources

Not applicable.

Appendices:

None

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers: None