

Audit Committee

30th September 2019



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

Title: Administrative Changes to the Constitution.

Ward: Citywide

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

Recommendation

That the Audit Committee note the administrative amendments to the Constitution as set out in the report, which address inconsistencies and improve formatting.

Summary

Responsibility for reviewing the Council’s Constitution was delegated to the Audit Committee in December 2018. The report sets out a number of administrative amendments to the Constitution which have been made by the Monitoring Officer under delegated powers.



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 with 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

Internal

The Mayor and Party Group Leaders.

External

Not applicable

Context

Administrative changes

The Constitution is kept under review by the Monitoring Officer to ensure that inaccuracies and formatting issues are rectified.

Below lists those actioned to date:

Document Name	Actions Taken
Part 2 Articles of the constitution	<ul style="list-style-type: none"> • Added footer to say August 2019. • Deleted Local Transport Plan as a decision for Full Council as now the sole responsibility of the WECA Mayor. Also deleted Transport Act 2000 and renumbered the footnotes 7 and 8. Updated 7th August 2019. • A8.03(b)(iii) – deleted 'service' from 'service directors' • A13.01 Management Structure – post updated from 'Executive Director Adults, Children and Education' to 'Executive Director People' • Deleted error - said "please check" within doc.
Part 3 Responsibilities and Functions including TOR	<ul style="list-style-type: none"> • Part 3.2b TOR of Committees - Changed remit of Communities Scrutiny Commission to reflect that agreed at OSM. • Part 3.2b TOR of Committees PROWG - Changed Communities directorate to Growth and Regeneration Directorate. • Part 3.2 removal of dead link. • Part 3.2c - Licensing Functions and PSP Functions - Changed Communities directorate to Growth and Regeneration Directorate.

Document Name	Actions Taken
	<ul style="list-style-type: none"> • Local Choice Functions - Changed Communities directorate to Growth and Regeneration Directorate. • Part 3.6b - Proper Officer Functions - Changed Communities directorate to Growth and Regeneration Directorate. • Changed footer to August 2019.
Part 4.1(a) Council procedure rules	<ul style="list-style-type: none"> • Footer – Changed date of changes to April 2019 • CPR2.1(v) – wording removed “** Suggested additional wording - Answers to questions will be given verbally, with a written reply provided to all questions within 10 working days of the meeting.” This information is in CPR10.8 • CPR1.1 – there are two ‘x’s – list reformatted. • Formatted index into a table format • Unbolded text within CPR10.4 • “Council debates on petitions” is listed in the index under CPR10.9 which is Member presentation of petitions. Changed to CPR10.1(f) • CPR1.1 Numbering corrected from (x) onwards • CPR2.1 Numbering corrected from (viii) onwards • CPR 9.4 Replaced bullet points with numbering for ease of reference • CPR 10.1 Amended numbering for consistency and replaced bullet points with lettering for ease of reference • CPR 10.8 Amended numbered reference to CPR 10.3 • CPR13.6 Tidied formatting • CPR13.10 Tidied formatting • CPR15 Tidied formatting • CPR17 Tidied formatting • CPR12 (m) – timings say 3.5hrs. Amended to be consistent with CPR1.2(2).
Part 4.1(b) Access to information procedure rules	<ul style="list-style-type: none"> • Formatted index into a table. • Changed footer to April 2019 • Deleted unnecessary page breaks • APR14.1 – Period of the Forward Plan. Deleted paragraph referring to four months’ notice and publication on the first working day. Practice is monthly 28 days’ notice with other items up until the end of the municipal year (although that detail is not required) • APR14.2 – added ‘n’ to make ‘an executive function’. • APR18.2 – taken out ‘the signature of the executive Member’ changed to ‘reference to the name of the executive member’ • Formatting into new table format template. • APR4 –added (1) and (2) to the paragraphs. • APR6 – changed from abc to i,ii,iii

Document Name	Actions Taken
	<ul style="list-style-type: none"> • APR8.1 – changed from abc to i,ii,iii • APR10.3 – assimilated ‘categories of exempt information’ into the paragraph so that no longer a link to another stand alone document * • APR13 – changed from abc to i, ii, iii • APR14.2 – changed from abc to i, ii, iii • APR17.1 – changed from abc to i, ii, iii • APR18.2 – changed from abc to i, ii, iii • APR20.1 – changed from – (dashes) to i, ii, iii • APR21.1 – second strata changed to I, II, III
Part 4.1(b.1) Categories of Exempt Information	<ul style="list-style-type: none"> • Assimilated the appendix into APR rules and removed (see above) (*)

Other Options Considered

None necessary

Risk Assessment

None necessary

Legal and Resource Implications

Legal

Local authorities are under a statutory obligation to keep their Constitutions up-to-date (s.9P Local Government Act 2000). Under the Council’s Constitution, this duty is discharged by the Monitoring Officer (Article 16.01).

Legal advice provided by Nancy Rollason, Head of Legal Services

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