

**REPORT TO:** Executive Board

**DATE:** 15 March 2018

**REPORTING OFFICER:** Strategic Director – Enterprise, Community and Resources

**PORTFOLIO:** Resources

**SUBJECT:** Annual Review of Constitution 2018

## **1.0 PURPOSE OF REPORT**

1.1 The purpose of the report is to seek the approval of the Council to a number of changes to the Constitution.

**2.0 RECOMMENDATION: That Council be recommended to approve the changes to the Constitution including the matters set out in Appendix 1.**

## **3.0 BACKGROUND**

3.1 The revised version picks up the changes to the Council's working arrangements that have taken place during the year, as well as other changes which are intended to assist the Council to operate more effectively.

3.2 The proposals for change have been considered by the Chief Executive and the Executive Board Member for Resources in accordance with Article 16.02. Apart from the purely technical changes, the proposed amendments that are considered to be of particular significance are listed in Appendix 1 to this report.

## **4.0 POLICY, FINANCIAL AND OTHER IMPLICATIONS**

4.1 All legislative changes have been considered. However, no further amendments, over and above those already outlined, are required at the present time. Any other required changes during the period 2018/19 will be the subject of further reports when dates and details are available.

## **5.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

**5.1 Children and Young People in Halton.**

**5.2 Employment, Learning and Skills in Halton.**

**5.3 A Healthy Halton.**

**5.4 A Safer Halton.**

**5.5 Halton's Urban Renewal.**

The changes proposed are designed to support the continued delivery of the Council's priorities.

**6.0 RISK ANALYSIS**

6.1 The Council needs to ensure that its Constitution is regularly updated so that it continues to support efficient, transparent and accountable decision-making by the authority.

**7.0 EQUALITY AND DIVERSITY ISSUES**

7.1 None.

**8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

None under the meaning of the Act.

## **Proposed Significant Changes to the Constitution**

### **Procurement Standing Orders**

This section has been edited so as to remove duplication, make the section easier to use and read and to provide a more logical flow for Officers using the document.

Section 4 of the existing document, which relates to Sale of Assets including Land, has been removed from the section on Procurement Standing Orders, and now sits as a separate set of Standing Orders.

### **Finance Standing Orders**

Section 6.2 has been updated to ensure fuller conformance to the Public Sector Internal Audit Standards.

Section 3.4.1 – Certifying Officers. Sign-off of expenditure over £1m to be authorised by either a Strategic Director or the Chief Executive. Although such payments are rare, this change would provide more clarity and flexibility.

### **Standing Orders Relating to Duties of Proper Officers and Delegation to Officers**

Some minor updates to reflect changes in delegations due to amended staffing arrangements.

### **Fraud Response Plan and the Anti-Fraud, Bribery and Corruption Policy**

A revised version of both documents was considered by the Business Efficiency Board on 22 November 2017 and approved for update in the Constitution.

### **Facility to submit Petitions to the Local Authority**

Submission of a petition can be carried out at any time by any member of the public. The matter for petition must relate to any issue over which the Council has powers, but cannot be considered if it relates to planning matters, as separate processes are in place for this. It is proposed that the Council introduce a requirement for petitions to contain a minimum number of signatures before it can be accepted/ actioned. It is considered that a reasonable minimum number would be 25.