

REPORT TO: Council

DATE: 21 May 2021

REPORTING OFFICER: Strategic Director – Enterprise, Community and Resources

PORTFOLIO: Resources

SUBJECT: Annual Review of Constitution 2021

WARDS: Borough-wide

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.

3.3 It is intended to bring a further report to Council at its meeting in July. This will deal with committee structures going forward, and a revised Code of Conduct for Members. The Local Government Association have recently produced a new model code which is being considered along with emerging guidance. Should the Council adopt a new code in July, training on it will be provided to all Members at around that time, and it may well be that declarations and registrations of interests will need to be handled slightly differently.

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 2021/22 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

Finance Standing Orders

Para 3.4 - Certifying Officers has been amended to provide additional flexibility to delegate authority up to £100k to a nominated manager where there is no Divisional Manager in a departmental structure.

Minor updates to align with some technical terms used elsewhere in the Constitution, for example reporting of capital expenditure in accordance with the Capital Guidance already reported annually to the Executive Board; processing of authorised virements through the Agresso system.

Procurement Standing Orders

Removal of references to European Union legislation throughout the whole section, following the UK's exit from the European Union.

Standing Orders Relating to Staff

Amendment to SO 59 and additional 59A relating to the engagement of agency workers. This is to ensure that all forms of resourcing are covered by the Constitution. Where the procured contract is used, but a resource cannot be delivered by the agencies party to that contract, the requestor falls back onto Procurement Standing Orders to explore an off-contact arrangement.

Designation of Strategic Director – People

As the strategic safeguarding lead for Prevent and Channel with responsibilities for ensuring compliance by the Council, for the purposes of s36 of the Counter Terrorism and Security Act 2015 and any amending legislation.