

Report of Principal Corporate Governance Officer

Report to Head of Governance Services

Date: 20 October 2016

Subject: Amendments to Constitution

Are specific electoral wards affected? If relevant, name(s) of ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. Changes have taken place within the Council requiring amendments to the Constitution to clarify practice and procedure in relation to responsibilities for School Appeals.
2. This report sets out details of the changes which are to take place and the relevant constitutional amendments necessary to reflect these.

Recommendations

3. The Head of Governance Services is requested to approve amendments to the following documents as set out in this report:-
 - Officer Delegation Scheme (Council (Non-executive) functions – Director of Children’s Services
 - Officer Delegation Scheme (Council (Non-executive) functions – City Solicitor

1 Purpose of this report

- 1.1 This report sets out a number of amendments to the Constitution recommended in order to give effect to decisions of Council or the Executive, or for clarification only.

2 Background information

- 2.1 Article 15.2 makes provision for amendments to be made to the constitution. In addition to the specific power to amend those documents in respect of which she has specific delegated authority (as shown in the front sheet to each document) the Monitoring Officer is authorised to make any changes to any part of the Constitution which are required:

- As a result of legislative change or decisions of the Council or Executive in order to maintain it up to date;
- Or for the purposes of clarification only.

- 2.2 The Monitoring Officer has sub-delegated her functions in respect of the Constitution to the Head of Governance Services.

3 Main issues

Responsibility for School Appeals

- 3.1 In order to make efficient use of Council resources responsibility for the provision of school appeals has been transferred from Governance Services to the Children's Services directorate – the transition of the oversight of these responsibilities was concluded at the end of September. In accordance with an earlier decision of the Head of Governance Services Part 3 Section 1 (Responsibility for Local Choice Functions) of the Constitution was amended with effect from the 1st October 2016.
- 3.2 The Head of Governance and Scrutiny Support is now recommended to approve amendments to the Officer Delegation Scheme (Council (non-executive) Functions) to show the reflect of the functions listed from City Solicitor to Director of Children's Services.

4 Corporate considerations

4.1 Consultation and engagement

- 4.1.1 There are no implications for this report.

4.2 Equality and diversity / cohesion and integration

- 4.2.1 There are no implications for this report.

4.3 Council policies and best council plan

- 4.3.1 Continuous monitoring and updating of the report is in line with the Council's value of being open, honest and trusted.

4.4 Resources and value for money

4.4.1 There are no implications for this report.

4.5 Legal Implications, access to information and call In

4.5.1 This is a significant operational decision and will be published accordingly.

4.6 Risk management

4.6.1 There are no implications for this report.

5 Conclusions

5.1 The proposed amendments will ensure that the Constitution is maintained up to date and fit for purpose.

6 Recommendations

6.1 The Head of Governance Services is requested to approve amendments to the following documents as set out in this report:-

- Officer Delegation Scheme (Council (Non-executive) functions – Director of Children’s Services
- Officer Delegation Scheme (Council (Non-executive) functions – City Solicitor

7 Background documents¹

7.1 None

¹ The background documents listed in this section are available to download from the Council’s website, unless they contain confidential or exempt information. The list of background documents does not include published works.