

Document	Reference	Amendment Proposed
Part 2 Article 9 – Governance Committees	9.3.5.4 Appointment of a new Independent Member to the Standards Committee will be made by Full Council upon the recommendation of a panel. The Panel will include the Assistant Chief Executive (Corporate Governance) and the Chair of the Standards Committee.	Monitoring Officer
Part 2 Article 12 – Officers	Monitoring Officer Post designation to Assistant Chief Executive (Corporate Governance)	City Solicitor
Part 2 Article 14 – Finance, Contract and Legal Matters	14.3 Legal Proceedings The Assistant Chief Executive (Corporate Governance) is authorised to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Council or any part of it or in any case where the Assistant Chief Executive (Corporate Governance) considers that such action is necessary to protect the Council’s interests.	City Solicitor City Solicitor
Part 2 Article 14 – Finance, Contract and Legal Matters	<p>14.4 Common Seal of the Council</p> <ul style="list-style-type: none"> • Custody The Common Seal of the Council will be kept in a safe place in the custody of the Assistant Chief Executive (Corporate Governance). • Authority to Use Seal A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal will be affixed to those documents which in the opinion of the Assistant Chief Executive (Corporate Governance) should be sealed. The affixing of the Common Seal will be attested by the Assistant Chief Executive (Corporate Governance) or some other person authorised by him/her. • Attestation The Common Seal shall be attested by the signature of the Assistant Chief Executive (Corporate Governance), or the person authorised by him/her, and entry shall be made by the Assistant Chief Executive (Corporate Governance) or some other person authorised by him/her in a book to be provided for that purpose of every deed and other document to which the Common Seal has been affixed. 	City Solicitor City Solicitor City Solicitor City Solicitor City Solicitor

<p>Part 2 Article 14 – Finance, Contract and Legal Matters</p>	<p>14.5 Signature of Documents</p> <ul style="list-style-type: none"> • Signature of Contracts The Chief Executive and the Assistant Chief Executive (Corporate Governance) (or other person authorised by each of them) shall each be authorised to sign as Agent for the Council all contracts agreed to be entered into by the Council, or any part of it. • Authentication of Documents for Legal Proceedings Where any document will be a necessary step in legal proceedings on behalf of the Council, it shall be signed by the Chief Executive or the Assistant Chief Executive (Corporate Governance) or other person authorised by him/her unless any enactment otherwise requires or authorises, or the Council give the necessary authority to some other person for the purpose of such proceedings 	<p>City Solicitor</p> <p>City Solicitor</p>
<p>Part 2 Article 16 – Suspension, Interpretation and Publication of the Constitution</p>	<p>16.3 Publication</p> <ul style="list-style-type: none"> • The Assistant Chief Executive (Corporate Governance) will ensure that copies are available for inspection at Council offices, libraries and other appropriate locations, and can be purchased by members of the local press and the public on payment of a reasonable fee. • The Assistant Chief Executive (Corporate Governance) will ensure that the summary of the Constitution is made widely available within the area and is updated as necessary. 	<p>Monitoring Officer</p> <p>Monitoring Officer</p>
<p>Part 3 Section 2A – Council (non-executive functions)</p>	<p>Functions of Full Council</p> <p>Electoral Arrangements To pass a resolution to change the name of an electoral area⁶ under Section 59(1) of the 2007 Act</p> <p>⁶ Schedule 1, Para D item 22 of the 2000 Regulations. Functions relating to consultation and notification processes under Section 59 have been delegated to the Assistant Chief Executive (Corporate Governance).</p>	<p>Chief Executive</p>

<p>Part 3 Section 2B – Council Committees’ Terms of Reference</p>	<p>Scrutiny Board (Central and Corporate Functions) 1. In relation to matters concerning Central and Corporate Functions¹,</p> <p>¹ These are the functions delegated under the officer delegation scheme (council functions) and the officer delegation scheme (executive functions) to: • the Assistant Chief Executive (Corporate Governance);</p> <p>Employment Committee 6. to appoint or dismiss or take disciplinary action against Directors⁴.</p> <p>⁴ "Directors" in this context is to be construed as any officer referred to in sub-paragraph (b), (c), or (d) of paragraph 3 of Part II of Schedule 1 of the Local Authorities (Standing Orders)(England) Regulations 2001, namely: • the Deputy Chief Executive, the Assistant Chief Executives, those ...</p>	<p>City Solicitor</p> <p>Amend to singular</p>
<p>Part 3 Section 2C – Officer Delegation Scheme (Council (non-executive) functions)</p>	<p>GENERAL DELEGATIONS TO OFFICERS 2. Subject to the exception listed below, in respect of approvals, licences, permission or registrations which come within the terms of their delegated authority, the Chief Executive, the Assistant Chief Executive (Corporate Governance), all Directors¹ and other named officers² are authorised: ...</p> <p>3 The Chief Executive, the Deputy Chief Executive, the Assistant Chief Executive (Corporate Governance), Assistant Chief Executive (Planning Policy and Improvement), all Directors and other named officers⁴ are authorised to carry out the following in respect of those functions for which they have delegated authority⁵: ...</p> <p><i>Officer Delegation Scheme (Council (non-executive) functions)</i> Assistant Chief Executive (Corporate Governance)</p>	<p>Amend footnote 2 definition of named officers to read "These are all other officers listed in Article 12" and delete references to Assistant Chief Executive (Corporate Governance)</p> <p>Withdraw (see report)</p>

	<p>13.2 Contents of Forward Plan ... 13.2.2 The Forward Plan must be published at least 14 days before the start of the period covered and made available to the relevant Scrutiny Boards. The Assistant Chief Executive (Corporate Governance) will publish once a year a notice in at least one newspaper circulating in the area, stating: ...</p>	Monitoring Officer
	<p>14.0 GENERAL EXCEPTION 14.1 If a matter which is likely to be a Key Decision has not been included in the Forward Plan, then subject to Rule 15 (special urgency), the decision may still be taken if:</p> <ul style="list-style-type: none"> (a) the decision must be taken by such a date that it is impracticable to defer the decision until it has been included in the next forward plan and until the start of the first month to which the next Forward Plan relates; (b) the Assistant Chief Executive (Corporate Governance) has informed the chair of a relevant Scrutiny Board, or if there is no such person, each member of that committee in writing, by notice, of the matter to which the decision is to be made; (c) the Assistant Chief Executive (Corporate Governance) has made copies of that notice available to the public at the offices of the Council; and (d) at least 5 clear days have elapsed since the Assistant Chief Executive (Corporate Governance) complied with (b) and (c). <p>Where such a decision is taken collectively, it must be taken in public.</p>	Monitoring Officer
	<p>16.0 REPORT TO COUNCIL 16.1 When a Scrutiny Board can require a report ... The power to require a report rests with the Board but is also delegated to the Assistant Chief Executive (Corporate Governance) who shall require such a report on behalf of the Board when so requested by the Chair or any 5 Members. Alternatively, the requirement may be raised by resolution passed at a meeting of the relevant Scrutiny Board</p>	Monitoring Officer

	<p>4 Exempt Contracts</p> <p>4.1 The following contracts are exempt from the requirements of these Contracts' Procedure Rules:</p> <p>...</p> <p>(d) residential and nursing care contracts which the Council has a duty to provide under S21 and S29(4) National Assistance Act 1948, S117 Mental Health Act 1983, S17 Children Act 1989 and S2 Local Government Act 2000, if in the opinion of the appropriate Chief Officer, following consultation with the Assistant Chief executive (Corporate Governance), it is considered to be in the Council's interests and demonstrates Value for Money for the Council.</p> <p>(e) where contracts are subject to the Regulations the following Contracts Procedure Rules shall not apply to procurements that are being conducted pursuant to the UK government Private Finance Initiative scheme, the Building Schools for the Future programme or the Local Improvement Finance Trust and such other similar UK government sponsored procurement schemes as the Assistant Chief executive (Corporate Governance) may, at their discretion, approve:</p> <p>17 Submission, Receipt, Opening and Registration of Tenders/Quotes</p> <p>Tenders</p> <p>17.1 Electronic Tendering</p> <p>17.1.1 Requests for Quotations and Invitations to Tender should be transmitted by electronic means using the Council's SCMS. This will ensure that:</p> <p>...</p> <p>(b) Electronic Tenders or Quotations submitted are kept in a separate secure Electronic Tender Time-Box under the control of the Assistant Chief Executive (Corporate Governance) which is not opened until the deadline has passed for receipt of Tenders or Quotations.</p> <p>...</p> <p>17.2 Hard Copy Tendering</p> <p>17.2.1 Tenders received shall be addressed to the Assistant Chief Executive (Corporate</p>	<p>Director of Resources</p> <p>Director of Resources</p> <p>Director of Resources</p> <p>Director of</p>
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	<p>Governance) in a sealed envelope endorsed with the word “Tender” followed by the subject matter to which it relates.</p> <p>...</p> <p>17.2.2 Tenders shall be opened by the Chief Procurement Officer and if required at least one other Officer nominated by the Assistant Chief Executive (Corporate Governance).</p> <p>...</p> <p>17.3 Officers who have been involved in preparing a tender bid, must not be involved in the recording or opening of tenders. Only persons authorised by the Relevant Chief Officer (as client), the Assistant Chief Executive (Corporate Governance) and by invitation the Chief Officer of Resources shall attend tender opening. ...</p> <p>24 Contract Terms and Conditions</p> <p>...</p> <p>24.2 The above rule shall not apply to –</p> <p>(i) contracts that are being conducted pursuant to the UK government Private Finance Initiative scheme, the Building Schools for the Future programme or the Local Improvement Finance Trust and such other similar UK government sponsored procurement schemes as approved by the Assistant Chief Executive (Corporate Governance), which shall use UK government standard documentation. Such documentation may be amended by the Relevant Chief Officer for value for money or project specific reasons</p>	<p>Resources</p> <p>Director of Resources</p> <p>Director of Resources</p> <p>Director of Resources</p>
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	<p>31 Waiver of Contracts' Procedure Rules</p> <p>31.1 Waivers of any of these Contracts' Procedure Rules shall only be given in exceptional circumstances and only following consultation with the Assistant Chief Executive (Corporate Governance) and the Director of Resources by submitting the Invocation/Waiver Report form in Appendix 1 and subsequent Delegated Decision which shall be prepared in conjunction with the Chief Procurement Officer</p> <p>31.2 The Relevant Chief Officer must be able to justify a procurement as a genuine exception to the requirements for competition. The reasons for use of this Contracts' Procedure Rule must be documented, and in a format approved by the Assistant Chief Executive (Corporate Governance).</p> <p>...</p> <p>31.4 In exceptional circumstances where a waiver could not or was not obtained the Authorised Officer shall prepare a written report by submitting the Invocation/Waiver Report form in Appendix 1 for consideration by the Assistant Chief Executive (Corporate Governance) and the Director of Resources setting out the reasons why a waiver could not be obtained. The relevant Officers will endeavour to provide comments to the Authorised Officer on all waivers within 7 working days of receipt of the final report by the Assistant Chief Executive (Corporate Governance).</p>	<p>City Solicitor</p> <p>Director of Resources</p> <p>City Solicitor</p> <p>City Solicitor</p>
	<p>34 Contract Claims</p> <p>34.8 The Assistant Chief Executive (Corporate Governance) shall be kept informed at all times of all contractual claims whether by or against the Council.</p>	<p>City Solicitor</p>
<p>Part 4 – Contracts – Code of Practice Relating to Contracts Procedure Rules</p>	<p>Body/Person with authority to change the document Assistant Chief Executive (Corporate Governance) Corporate Procurement Unit</p> <p>2 ACCOUNTING ARRANGEMENTS</p> <p>...</p> <p><u>2.10 Retention of documents</u> Financial records, including documentation relating to contracts for work done, services and supplies, shall not be disposed of other than in accordance with arrangements approved</p>	<p>Director of Resource</p>

	<p>and amended from time to time by the Director of Resources. Contract records shall not be disposed of other than in accordance with arrangements approved by the Assistant Chief Executive (Corporate Governance).</p>	<p>Director of Resources</p>
<p>Part 4 – Financial Procedure Rules</p>	<p>8. ORDERS 8.1 Requirements of official orders (a) In addition to compliance with Contract Procedure Rules, official orders for work to be performed or goods supplied shall meet the following requirements: (i) be in writing and in a form approved by the Director of Resources and, where necessary, the Assistant Chief Executive (Corporate Governance);</p>	<p>Delete</p>
	<p>10. CONTRACTS ... 10.5 Claims from contractors in respect of matters not clearly within the terms of any existing contract shall be referred to the Assistant Chief Executive (Corporate Governance) for consideration of the Council's legal liability. Directors must inform the Director of Resources of such claims and the potential financial liability. 10.6 (a) As soon as it has been established that the Council, in the opinion of the Director supervising the contract, is entitled to recover liquidated damages then that Director shall inform the Assistant Chief Executive (Corporate Governance) of the amount involved together with details of any mitigating circumstances, and certify that any applications for extensions of time have been considered. The Assistant Chief Executive (Corporate Governance) shall advise of relevant areas of law. ... 10.7 If the Assistant Chief Executive (Corporate Governance) considers it inappropriate to recover all or part of any damages, the approval of the Director of Resources shall be sought.</p>	<p>City Solicitor City Solicitor City Solicitor City Solicitor</p>

	<p>15. CUSTODY AND SECURITY OF ASSETS 15.5 Custody of legal documents The Assistant Chief Executive (Corporate Governance) shall be responsible for the custody of all legal deeds, agreements and contract documents. The arrangements for the custody of such documents shall be subject to the written approval of the Director of Resources. Documents should be retained in compliance with Appendix A.</p>	Delete and refer only to appendix A
	<p>APPENDIX Q FINANCIAL PROCEDURE RULE 15 CUSTODY & SECURITY OF ASSETS - PROCEDURE GUIDELINES ... 14. LEGAL DOCUMENTS (INCLUDING CONTRACTS) 14.1. Legal documents and contracts relating to transactions are kept in the safe custody of the Assistant Chief Executive (Corporate Governance) in line with Appendix A. Where, however, this function (for lower value contracts) is delegated to a Director or his/her authorised nominee, it is important that there is a record of the document's existence and that the original contract documents are kept in a secure place under lock and key.</p>	City Solicitor
	<p>APPENDIX R FINANCIAL PROCEDURE RULE NO. 15.6 RECOVERY/RESTITUTION RELATING TO MISAPPROPRIATION OR THEFT OF CASH AND/OR PROPERTY BY COUNCIL EMPLOYEES ... 3. RECOVERY ALTERNATIVES 3.1. The alternative courses of action outlined below are put forward after consultation with the Assistant Chief Executive (Corporate Governance) and represent practical, legitimate ways of recovering losses from the employee responsible. Any one or all of them should be followed, as appropriate.</p>	Delete reference

	<p><u>3.4. Recovery via the L.G. Pension Fund</u></p> <p>...</p> <p>The advice of the Assistant Chief Executive (Corporate Governance) should be sought in such instances.</p> <p>Applications for recovery should be referred to the Assistant Chief Executive (Corporate Governance). ...</p>	<p>City Solicitor</p> <p>City Solicitor</p>
Part 5 – The Employee Code of Conduct	<p>1.0 Preamble</p> <p>2. For the purposes of this Code, the term “Director” refers to the Chief Executive, the Assistant Chief Executives and Directors only, and does not include those Chief Officers with concurrent delegations listed in Article 12 of the Constitution</p>	Amend to singular
Part 5 – Protocol for the Coordination of External Audit and Inspection Reports	<p>Body/Person with authority to change the document Assistant Chief Executive (Corporate Governance) ¹</p>	Director of Resources
	<p><u>Part A(i). Service inspections ...</u></p> <p>1. As soon as the relevant Director is aware that a service inspection is due they will inform the Chief Executive, the Assistant Chief Executive (Planning, Policy and Improvement), the Assistant Chief Executive (Corporate Governance) and the Head of Scrutiny and Member Development that an inspection is to take place and the relevant timescales.</p> <p><u>Part B. External Audit Reports ...</u></p> <p>1. At the commencement of external audit work the External Auditor will advise, via email, the Chief Officer (Audit and Risk), the Assistant Chief Executive (Policy, Performance and Improvement), the Assistant Chief Executive (Corporate Governance), and the Head of Scrutiny and Member Development of the agreed brief for the audit work and the likely timescales for completion.</p>	<p>Monitoring Officer</p> <p>Monitoring Officer</p>
Part 6 – Members’ Allowances Scheme	<p>Body/Person with authority to change the document Assistant Chief Executive (Corporate Governance)</p>	Director of Resources
Part 7 – Management Structure	<p>Body/Person with authority to change the document Assistant Chief Executive (Corporate Governance) Post of Assistant Chief Executive (Corporate Governance)</p>	<p>Director of Resources</p> <p>Replace with City Solicitor</p>

