

FAREHAM

BOROUGH COUNCIL

Report to Audit and Governance Committee

Date **9 February 2015**

Report of: **Monitoring Officer**

Subject: **REVIEW OF THE CONSTITUTION**

SUMMARY

This report invites the Audit and Governance Committee to consider how Members can take an active role in a review and update of the Council's Constitution,

RECOMMENDATION

That the Audit and Governance Committee consider the proposals to set up a Member Officer Working Group to assist with the review and update of the Council's Constitution before consideration by the Scrutiny Board and the Executive and approval by Council.

If supported, the Audit and Governance Committee will refer its recommendation to the Council to request that the Member Officer Working Group be established and that the Group Leaders be requested to nominate members to the group.

INTRODUCTION

1. It is a duty of the Monitoring Officer to maintain an up-to-date version of the Constitution and to advise the Council on the review and update of the Constitution at regular intervals.
2. The Head of Democratic Services is undertaking a review of the Constitution and is now consulting the Audit and Governance Committee on how Members can be involved in the review stage before suggested updates are recommended to either the Executive via the Scrutiny Board and to Council.

BACKGROUND

3. In November 2013, the Head of Democratic Services presented a report to the Audit and Governance Committee on updates to the Standing Orders with respect to Meetings. As part of the discussion on that item, the Committee expressed a wish to be involved at an earlier stage in the review of the content of the Constitution in order to make a more informed contribution.
4. Work has begun to collate the sections of the Constitution for which changes have already been approved by Council and to identify sections which are now out of date and in need of amendment due to legislative changes.
5. The next phase of work will be to review the Constitution in light of organisational and procedural changes which already have or are in the process of changing. There is also a piece of work to be done in identifying any desired changes and to consider any “future-proofing” which may be required.
6. A number of operational service reviews are being carried out across the organisation as part of the Vanguard intervention work. As these progress, there may be a number of procedural rules which form part of the Constitution that will require amendment and will need the input and approval of Members.

PROPOSALS

7. In order to achieve the aim of enabling Members to be involved in the review work at an earlier stage, it is proposed that a Member Officer Working Group be established.
8. To ensure that the considerable volume of work anticipated is manageable, it is proposed that a working group, preferably nominated by Group Leaders, consisting of 4 Members be established with a political balance currently of 3 Conservative group Members and 1 Liberal Democrat group Member. The working group should ideally include at least one Executive Member.
9. The Chairman of the Audit and Governance Committee would oversee the working group in consultation with the Monitoring Officer.
10. For changes to parts 1 – 3 of the Constitution the working group will initially refer proposals to the Executive via the Scrutiny Board (as per Part 1:Ch14, para 14.3) before they are considered by the Audit and Governance Committee. Parts 4 – 8 will be referred directly to the Audit and Governance Committee.

RISK ASSESSMENT

11. There are no significant risk considerations in relation to this report

CONCLUSION

12. The proposals to set up a Member Officer Working Group for the review and update of the Constitution are submitted to the Audit and Governance Committee for consideration.

Background Papers:

None

Reference Papers:

Report to Audit and Governance 25 November 2013: Updates to the Constitution

Enquiries:

For further information on this report please contact Leigh Usher. (Ext 4553)