

FAREHAM

BOROUGH COUNCIL

Report to Audit and Governance Committee

Date: 12 March 2018

Report of: Monitoring Officer

Subject: CONSTITUTION UPDATES

SUMMARY

This report informs Members of the ongoing work to update and review the Council's Constitution. Work is currently underway to review and where necessary update each section of the Constitution and to revamp the Council's Constitution webpages.

This report also proposes to seek approval from the Audit and Governance Committee to add an annual report to the Committee's work programme which will provide an overview of the ongoing work to the Constitution and allow Members to review any changes that have been made over each twelve-month period.

RECOMMENDATION

It is recommended that the Committee: -

- a) notes the contents of the report; and
- b) approves the addition of an annual report item to the Committee's work programme – Review of The Constitution.

INTRODUCTION

1. The Council's Constitution is under constant review and there are regular amendments required to keep it up to date.
2. The Monitoring Officer is responsible for monitoring and reviewing the Constitution to ensure that its aims and principles are given full effect.
3. Over the past year officers have been compiling a library of updates in order to catalogue amendments and monitor regular reviews. This work has also included re-formatting pages, creating new web-pages and new hard copies will also be created.

BACKGROUND TO THE CONSTITUTION

4. The purpose of the Constitution is to set out how the Council works, how its decisions are taken and what procedures will be followed to make sure that the Council is efficient, transparent and accountable to members of the public.
5. The Constitution is under continuous use by Members, Officers and members of the public, so it is important that the document is user friendly.

CHANGES TO THE CONSTITUTION

6. Changes to this Constitution may be made at any time, arising from a review by the Monitoring Officer or recommendation to Council and will only be approved by Council once considered by the Audit and Governance Committee. All such changes will comply with the provisions of the Local Government Act 2000 and other relevant statutory provisions.
7. The Monitoring Officer has delegated authority to update the Constitution arising from decisions of the Council, Executive or where legislation requires a change in wording, terminology or reference.
8. There have been multiple changes to the Constitution over the past ten years but not all have been captured and logged. The aim moving forward is to compile a history of all previously agreed updates and that any future updates be logged in the same way. A sample of the work is attached at Appendix A.

MOVING FORWARD

The Constitution Log

9. A Constitution log is being compiled to allow officers to monitor every page of the Constitution and easily gain information on which parts need: -
 - a) updating regularly, for example some sections need updating every year after Annual Council;
 - b) reviewing by the Monitoring Officer; or
 - c) checking for accuracy by the Legal team due to changes in legislation.

The Constitution Webpages

10. The use of the webpages has evolved over the years and they are now the main source for most users of the Constitution. The aim for the new pages is to make it easier for users to find what they are looking for and to clarify what pages are up to date or in need of review.

Hard copies of the Constitution

11. It is also important to maintain and update the hard copies of the Constitution, which are distributed to group rooms and key Officers. All current hard copies, of which there are eight, will be replaced with the reformatted pages with the aim to make the document easier to navigate and update when necessary.

ONGOING REVIEW

12. The Monitoring Officer, along with the Head of Democratic Services will be using the Constitution Log to identify those pages and sections within the Constitution which need updating by means of a formal decision by Council and the intention is to continue with the work previously carried out by the Constitution Working Group.
13. This report also seeks the agreement of the Audit and Governance Committee to bring an annual report to the Committee which captures all changes and ongoing work on the Constitution. To allow Members to review any changes and give feedback to officers on areas for review.

RISK ASSESSMENT

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

CONCLUSION

15. It is recommended that the Committee: -
 - a) notes the contents of the report; and
 - b) approves the addition of an annual report item to the Committee's work programme – Review of The Constitution.

Appendix A - Updates to the Constitution

Background Papers:

Reference Papers: The Council's Constitution

Enquiries:

For further information on this report please contact Leigh Usher. (Ext 4590)