

STANDARDS AND CONSTITUTIONAL OVERSIGHT COMMITTEE

1 JULY 2015

4 CONSTITUTIONAL AMENDMENTS REQUIRED UNDER THE LOCAL AUTHORITIES (STANDING ORDER) (ENGLAND) (AMENDMENT) REGULATIONS 2015

A report by the Head of Legal and Member Services and Monitoring Officer set out the changes that must be made to the Council's Constitution to give effect to The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 (SI2015/881) ("the Regulations"). Appendix 1 to the report set out in great detail the proposed changes to the Constitution for the Committee's information.

The Committee was informed that Regulations came into force on 11 May 2015 that required the Council to make certain changes to its Constitution relating to disciplinary action/arrangements in respect of the Head of Paid Service, Monitoring Officer and Chief Finance Officer.

The Committee noted that these changes to the Constitution must be made no later the first ordinary meeting of Council after 11 May 2015 (as prescribed by the Regulations).

The Head of Legal and Member Services and Monitoring Officer introduced his report and took Members through it in detail. Members then asked a number of questions which the Head of Legal and Member Services and Monitoring Officer responded to as appropriate.

RESOLVED:

That the Committee recommends to the Council: That

- (1) the proposed changes to the Council's Constitution be approved;**
- (2) the Monitoring Officer be authorised to invite the Council's current Independent Persons, appointed under section 28(7) Localism Act 2011, to be considered for appointment to the Council's Employment and Appointments Committee and the Chief Officers Employment Sub-Committee where matters relating to the dismissal of the Head of Paid Service, Monitoring Officer or Chief Finance Officer are to be considered;**
- (3) upon any of the said Independent Persons referred to in 9" above confirming in writing to the Monitoring Officer their willingness to be considered for appointment to the Council's Employment and Appointments Committee and the Chief Officers Employment Sub-Committee pursuant to The Local Authority (Standing Order) (England) (Amendment) Regulations 2015, their appointment shall be deemed to take effect.**

(4) where the number of Independent Persons appointed to the Council's Employment and Appointments Committee and the Chief Officers Employment Sub-Committee under the Regulations falls below two and undue delay and/or a significant adverse impact is likely to arise in relation to the matter relating to the dismissal of the Head of Paid Service, Monitoring Officer or Chief Finance Officer:

(a) a relevant Chief Officer of the Council shall be authorised to invite (in priority order) up to two Independent Person(s) as defined by The Local Authority (Standing Order) (England) (Amendment) Regulations 2015 to be considered for appointment to the Council's Employment and Appointments Committee and the Chief Officers Employment Sub-Committee; and

(b) the Chairperson of the Employment and Appointment Committee, in consultation with the relevant spokespersons of the other political groups, shall have delegated power to appoint and co-opt the Independent Person(s) duly invited under d)(i) above to the Council's Employment and Appointments Committee and the Chief Officers Employment Disciplinary Sub-Committee so as to give effect to The Local Authority (Standing Order) England) (Amendment) Regulations 2015.

and

(5) the Head of Human Resources and Occupational Development shall be given delegated authority to make such changes considered necessary, in consultation with the Chairperson of the Employment and Appointments Committee, to any employment/disciplinary policies, arrangements and practices so as to give effect to The Local Authority (Standing Order) (England) (Amendment) Regulations 2015.