

WIRRAL COUNCIL

STANDARDS AND CONSTITUTIONAL OVERSIGHT COMMITTEE

4 OCTOBER 2016

REPORT TITLE:	<i>RECOMMENDATIONS OF THE STANDARDS AND CONSTITUTIONAL OVERSIGHT WORKING GROUP</i>
REPORT OF:	<i>HEAD OF LEGAL AND MEMBER SERVICES & MONITORING OFFICER</i>

REPORTSUMMARY

This report provides details of the recommendations of the Standards and Constitutional Oversight Working Group made at its meeting on 19 September 2016. The Working Group does not have decision making powers. The Committee is requested to consider the recommendations of the Working Group.

RECOMMENDATION/S

That the Committee agrees to the:

- (a) proposed changes to the Council's Scheme of Non-Executive Delegation of Functions to Officers (Part 3, Schedule 4A Part 1) and that the changes detailed in Appendix 1 to this report be recommended to Council for approval;
- (b) Civic Handbook set out Appendix 2; and
- (c) Flag Flying Protocol set out at Appendix 3 to be applied immediately (and for it to be included within the Civic Handbook).

SUPPORTING INFORMATION

2.0 REASON/S FOR RECOMMENDATION/S

- 2.1 The recommendations are necessary to update the Scheme of Delegation in line with the Council's new Operating Model approved by the Council's Employment and Appointments Committee in July 2016. The changes also provide greater clarity in respect of existing delegations.
- 2.2 The Council undertakes various civic functions but they have not been captured in on place. The Civic Handbook addresses this issue and provides a helpful reference for Members, dignitaries, the public, partners and officers alike in relation to civic events.
- 2.3 As with the civic functions, there are certain protocols that must be followed in respect of when and how flags are flown at both the Council's Town Halls. To ensure consistency and increase awareness, the flying flag protocol confirms which flag must be flown in respect of specific events thereby ensuring the Council discharges its obligations in this regard correctly.

3.0 OTHER OPTIONS CONSIDERED

- 3.1 The Working Group considered the proposals and amendments were made to the Scheme of Delegation, Civic Handbook and Flying Flag Protocol.
- 3.2 The Council is not obliged to have a Civic Handbook or Flying Flag Protocol but it is considered good practice to have them.

4.0 BACKGROUND INFORMATION

- 4.1 The Committee has for the last few years established a Working Group to assist it in its work.
- 4.2 The work of the Working Group for each municipal year is set by the Committee.
- 4.3 The Committee included the revision of the Council's Scheme of Non-Executive Delegation of Functions to Officers (which falls within the Constitution), Civic Handbook and Flying Flag Protocol in the work programme of the Working Group for this municipal year.
- 4.4 Appendix 1 sets out the revised Scheme of Non-Executive Delegation of Functions to Officers to principally address changes made by the new Operating Model which is to take effect from 1 November 2016.
- 4.5 The review of the Scheme of Delegation also includes a legislation update and clarification of existing delegations.
- 4.6 Members of the Working Group raised particular queries over paragraph 14 of the Scheme of Delegation which enables Members to scrutinise non-executive decisions taken by officers through the relevant Overview and Scrutiny Committee. Members are to examine this issue further at the next meeting of the Working Group. Any proposed amendment to this provision will be reported to this Committee for consideration.

4.7 With regards to the Civic Handbook and Flag Flying Protocol, it is considered best practice to have such reference material to ensure consistency, promote awareness and greater engagement.

5.0 FINANCIAL INFORMATION

5.1 There are no such implications arising.

6.0 LEGAL IMPLICATIONS

6.1 The Council must ensure it has an up to date Scheme of Delegation.

7.0 RESOURCE IMPLICATIONS: FINANCIAL; ICT; STAFFING; AND ASSETS

7.1 There are no such implications arising.

8.0 RELEVANT RISKS

8.1 The Council must ensure that the Constitution and other working arrangements/practices are effective and compliant with relevant legislation.

8.2 By undertaking a regular review of the Constitution and other key aspect of the Council's practices, the risks to the Council are mitigated.

9.0 ENGAGEMENT/CONSULTATION

9.1 The Standards Working Group has a consultative role by virtue of its cross-party membership. No formal consultation is necessary in respect of the matters falling within this report.

10.0 EQUALITIES IMPLICATIONS

10.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

(a) No EIA is required.

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APPENDICES

Appendix 1 - Proposed changes to the Scheme of Non-Executive Delegation of Functions to Officers.

Appendix 2 - Proposed Civic Handbook.

Appendix 3 - Proposed Flag Flying Protocol.