MEMBERS CONSTITUTION WORKING PARTY

A meeting of the Members Constitution Working Party will be held in the Committee Room 2, Civic Centre, Lampton Road, Hounslow on Monday, 25 January 2016 at 5:00 pm

MEMBERSHIP

Councillor Steve Curran - Chair
Councillor Amritpal Mann - Vice-Chair
Councillors Theo Dennison, Elizabeth Hughes and Sheila O'Reilly.

In Attendance: Caroline Eaton, Thomas Ribbits

AGENDA

1. Apologies for absence, declarations of interest or any other communications from Members

2. Minutes of the meeting held on 13 October 2015 and matters arising (Pages 1 - 6)


   3.1 Review of revised process for execution of documents under the Council's "common seal"

   3.2 Key Decision financial threshold

   3.3 Urgency Procedure Review

   3.4 Review of work plan and items to be added

4. Any other matters which the Chair considers urgent

5. Date of next meeting - 18 April 2016

   The next meeting is scheduled for Monday 18 April 2016, at 5pm. Due to Committee Rooms and LPCC being block-booked by the Elections Team, Room 11 in the Orange Zone has been booked for the meeting.

DECLARING INTERESTS

Committee members are reminded that if they have a pecuniary interest in any matter being discussed at the meeting they must declare the interest and not take part in any discussion or vote on the matter.

Mary Harpley, Chief Executive
London Borough of Hounslow, Civic Centre, Lampton Road, Hounslow TW3 4DN

Published on 15 January 2016
At a meeting of the Members Constitution Working Party held on Tuesday, 13 October 2015 at 5:00 pm at the Committee Room 2, Civic Centre, Lampton Road, Hounslow.

Present:
Councillor Steve Curran (Chair)
Councillors Theo Dennison and Sheila O'Reilly

In attendance:
Councillor John Todd, Daniel Austin (e-procurement Officer), Caroline Eaton (Head of Governance), Thomas Ribbits (Head of Democratic Services)

Apologies for Absence
Councillors Amrit Mann and Elizabeth Hughes

20. Apologies for absence, declarations of interest or any other communications from Members

Apologies had been received from Councillors Elizabeth Hughes and Amrit Mann.

There were no declarations of interest.

21. Minutes of the meeting held on 13 July 2015 and matters arising

The minutes of the meeting held on 13 July 2015 were agreed as a true and accurate record, and were signed by the Chair.

There were no matters arising.

22. Key Decision financial threshold and Members' Code of Conduct

The Key Decision financial threshold was deferred to the next meeting.

The Members' Code of Conduct would be reviewed at the next meeting of the Standards Committee in March 2016, and would be an Agenda item for the Members’ Constitution Working Party in April 2016.

23. Update to Constitution - Overview and Scrutiny Committee Procedure Rules and Contract Procedure Rules

Members noted that there were two chapters of the Constitution to be considered in this report.

a) Contract Procedure Rules:
Daniel Austin (e-procurement Officer), explained the proposed changes to Members, who noted that financial values had been amended to reduce the bureaucracy in decision making. Legislation changes implemented in February 2015 also required changes to be made. In response to questions from Members, it was confirmed that:

- 7.3 – the Departmental Contracts Board has been replaced by the Strategic Procurement Board; details of this are being finalised within the Strategic Finance restructure.
- 15.1.4 - “London Living Wage” should be included in the list of compliance requirements.
15.1.4 – Council policies are part of the open data; the Council website is currently being updated to make it more user friendly. There would be a dedicated Procurement page.

16.3 – All variations to contracts would be signed off by the Head of Procurement Hubs (Mark Pearson), using the appropriate template. This information would be included in the updated Constitution.

Members thanked Daniel Austin for his presentation and explanations.

Resolved:


To support recommendations to Borough Council for authority to be delegated to the Director of Finance, in consultation with the Cabinet Member for Corporate Performance and Customer Care, to make any further minor changes to the Contract Procedure Rules as may be needed from time to time to reflect changes to post titles/ Council structure, minor legislative changes and/or to remove any anomalies that may become apparent through the practical application of the Rules, and to delegate authority to the Head of Governance to make the necessary changes to the Constitution.

b) Overview and Scrutiny Committee Procedure Rules – Section 16 Call-in: Caroline Eaton (Head of Governance) led Members through the proposed changes paragraph by paragraph. She explained that the Overview and Scrutiny Committee had met on 12 October 2015, and had generally agreed with all proposed suggestions. They had made some minor proposed amendments, which were included in the discussion below.

In response to questions raised from Members, it was confirmed that:

16.b.

- This point had been re-worded to ensure clarity on publication dates for key decisions made by Officers. Members asked if the publication timing for all decisions – whether made by Cabinet, individual Cabinet members, Cabinet Committees or Officers – could be consistent: ie all straight after the decision is made, or all at the end of the month in which they are made. Caroline Eaton advised Members that this would have resource implications for Democratic Services staff, but key decisions made by Officers could be published straight away, following consultation by the Report Author and Head of Governance. Members noted that Officer decisions were not included on the Forward Plan.
- A schedule of Key Decisions made was already included in the Agenda Packs for Borough Council. Thomas Ribbits (Head of Democratic Services) confirmed that the number of these was small: when there were any, the reports were noted at Borough Council; there was no debate.
- There is a legal requirement to publish decisions in a paper format, as well as electronically. It was agreed to include a phrase stating that hard copies would be available from Democratic Services, Civic Centre.
- It was agreed to review the urgency procedure as part of the Working Party’s Work Plan.

16.c.

- Overview and Scrutiny Committee had requested that references to the Chair of the Committee or its Panels having authority to call-in a decision be deleted. Members of the Members’ Constitution Working Party considered this request, noting the following:
  1. Call-in is a key role of the Chair of Overview and Scrutiny, and to take away this function would dilute the role of the Chair
2. Maintaining the status quo does not preclude 10 members of the Council from calling-in a decision
Members rejected this request, and instructed that all references to the Chair of Overview and Scrutiny Committee or its Panels should be reinstated throughout the revised document.

- Councillor Todd asked that the number of members required to call-in a decision be reviewed; he reminded Members that there were only 11 Conservative Councillors, and with illness or other absence, it became very difficult to call-in a decision.

Although Members agreed that call-in should not be a political tool, they agreed that a reduction in number should be considered. The Chair was delegated to consult with the Chair of Overview and Scrutiny Committee and revise the required number to between 6 and 10, and take Chair’s Action to amend the document.

- 16.d.
Members were happy to approve the new measure of accepting a signatory to a call-in by e-mail, and that one member should take the lead in the process.

- 16.e.
Caroline Eaton advised Members that the list of grounds in support of a call-in request were not exclusive, but had been taken from “Knowles on Local Authority Meetings”. Overview and Scrutiny Committee members had been content with the list.

- 16.g.
Members noted the opportunity for Councillors to hold a preliminary meeting as part of a 2 stage process, and agreed that the paragraph should be amended to show that “the member leading the Call-in or a substitute will be offered an opportunity to meet…….”

- 16.h, 16.i, 16.j
- Members agreed that paragraphs 16.h and 16.i should be deleted, and the text at the beginning of 16.j be amended to incorporate relevant wording. All future paragraphs would be re-numbered.
- Overview and Scrutiny Committee had requested that, where it was not possible to convene a meeting within seven working days (for example where more information was required), the Chair of Overview and Scrutiny and the relevant Cabinet Member could agree an extension of time where appropriate.
- Members agreed that the last sentence “No member who has signed the Call-in may sit as a member of the Overview and Scrutiny Committee which considers that Call-in request” should be deleted.

- 16.m.
Members noted that this change was in relation to the very rare occasion where a matter was referred to full Council, and no meeting would take place within 20 working days.

Members agreed that “and Call-in has been waived” should be added at the end of the paragraph.

Operation of “Call-in” within the Council
Caroline Eaton advised Members that, in light of the amendments discussed, the flowchart would be amended.

Resolved:
To support a recommendation to Borough Council on 24 November 2015 for the changes to the Overview and Scrutiny procedure Rules as outlined in appendix A but subject to the following:

- All references to the Chair of Overview and Scrutiny Committee being able to call-in an executive decision to be retained.
- 16.b. To be amended to record that key decisions to be taken by officers to be published the day following the decision being taken.
- 16.c. Consideration be given as to the number of members required to be able to call-in a decision. It was agreed that the Chair of the Members’ Constitution Working Party be
authorised to liaise with the Chair of Overview and Scrutiny Committee to propose a reduction in the number of members required to initiate the call-in process, and to take Chair’s Action to amend the recommendations accordingly.

- 16.g. To add to the amendment to enable a substitute should the member leading the Call-in not be available to attend a meeting.

- 16.h. and 16.i. These paragraphs be deleted and subsequent numbering to be revised.

- 16.j. The wording to be amended to include an option for an extension of time to be agreed and to delete the sentence “No member who has signed the Call-In may sit as a member of the Overview and Scrutiny Committee which considers the Call-In request” as members will be able to make declarations at the start of the meeting to avoid any inference that they are predetermined or may volunteer to step down of their own accord should they believe they are.

- 16.l. The timescale to include any additional time agreed under 16j

- 16.o. The addition at the end of the words “and Call-In has been waived”.

c) Terms of Reference for Overview and Scrutiny Committee and Panels – addition of point 11

Caroline Eaton advised Members that a request had been made by the Overview and Scrutiny Committee to amend their Terms of Reference to eliminate any doubt about the ability to move into private session.

Members were not content with this request, as they believed that it was important for the decision-making process to be open to public scrutiny and Cabinet understanding and transparent.

Resolved:
Not to support a recommendation to add paragraph 11 to enable the Overview and Scrutiny Committee and Panels to move into private session at any time as doing so would not allow a transparent process and would not enable Cabinet to learn from the thought processes if matters are not conducted in a public setting. It was however recognised that matters falling under paragraph 10 of the Access to Information procedure rules under Part 1 of the constitution would enable a meeting or part of a meeting to be conducted in private.

Members noted that any changes to the Constitution would require the approval of full council.

24. Amendments to Chapters 1 and 15 (as requested by Councillor Todd)

Members considered the report (attached at item 5 of the Agenda pack), and noted the proposed changes to Parts 1 and 15 of the Constitution. They supported all the proposed changes, with one amendment: Part 15 – Urgency Procedures Summary, point 2.7.1: delete “also” in the last sentence.

Resolved that:
1. The proposed changes to the Constitution be supported, with the minor amendment to Part 15, 2.7.1 as above.
2. The Head of Governance be requested to agree the changes, using her delegated authority to make small changes of this nature.

25. Items to add to the work plan

There were no items to add to the Work Plan.
Councillor Dennison asked that the **Urgency Procedure** should be reviewed.

26. **Any other matters which the Chair considers urgent**

There were no urgent matters to be considered.

27. **Date of next meeting**

The next meeting is scheduled for 25 January 2016.

28. **Appendix - Updated Work Plan**

<table>
<thead>
<tr>
<th>Area</th>
<th>Explanation</th>
<th>Status</th>
<th>To MCWP Meeting</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Key decision financial threshold.</td>
<td>Following the review by Overview and Scrutiny and the report to Cabinet as to its findings on 7 July 2015, it was agreed to review the financial threshold for key decisions.</td>
<td>In progress – Head of Governance to obtain benchmarking data</td>
<td>January 2016</td>
</tr>
<tr>
<td>2. Urgency procedure and guidance to officers.</td>
<td>Progress was made with an urgency procedure entry drafted for inclusion in the constitution and guidance for officers. That work has not however been completed due to the departure of the Assistant Director Corporate Governance. This should now be addressed as a priority.</td>
<td>Completed</td>
<td></td>
</tr>
<tr>
<td>3. Leader’s Scheme of Delegation to Directors and Statutory Officers.</td>
<td>In late 2014 Officers worked with the Members Constitution Working Group to develop changes to the Scheme of Delegation, which had been revised in November 2013. It would seem appropriate to review this given that it has now “bedded in” and to ensure any anomalies are rectified.</td>
<td>Completed</td>
<td></td>
</tr>
<tr>
<td>4. Overview and Scrutiny Procedure Rules</td>
<td>Officers were in late 2014 reviewing the urgency and call-in sections of the Overview and Scrutiny procedure rules to ensure they met Access to Information Rules. This work appears not to have been completed for the reasons outlined in 2 above and should therefore be resurrected.</td>
<td>To be presented to Borough Council on 24 November 2015</td>
<td></td>
</tr>
<tr>
<td>5. Access to Information</td>
<td>Officers were in late 2014 involved in the process of</td>
<td>Completed</td>
<td></td>
</tr>
<tr>
<td>Procedure Rules</td>
<td>reviewing the Access to Information Procedure Rules to ensure these accurately reflected the statutory requirements. This work is linked to that in 2 above and requires completion.</td>
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<td>-----------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Members’ Code of Conduct</td>
<td>Officers are reviewing the Members’ Code of Conduct to ensure it accurately reflects current processes. Any suggested changes would be brought to a future meeting of the Members Constitution Working Party.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Urgency procedure review</td>
<td>Review of how urgent decisions are being made, under what part of the Constitution and any improvements required to ensure compliance with statutory requirements and to promote openness, accountability and transparency.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**The meeting finished at 6:20 pm.**

The minute taker at this meeting was Irene Bowles
1. Details of Recommendations

1. To review the revised procedure for the execution of documents under seal;

2. To consider the key decision financial threshold, agree any revisions to be recommended to the Leader/Cabinet for approval and to note that changes to the constitution that may be agreed as a result may be undertaken by the Head of Governance under delegated authority;

3. To agree the scope of the review of urgency procedures and timescales; and

4. To agree the amendments to the work plan in Appendix A and the priority for each matter to be presented for authorisation to Borough Council and timescales.

If the recommendations are adopted, how will residents benefit?

<table>
<thead>
<tr>
<th>Benefits to residents and reasons why they will benefit, link to Values</th>
<th>Dates by which they can expect to notice a difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>The constitution is key to ensuring that the democratic processes of the Council are effective and transparent in the interests of the residents and businesses in the borough.</td>
<td>On-going</td>
</tr>
</tbody>
</table>

2. Report Summary

This report is part of an on-going programme of updates to ensure the Constitution remains fit for purpose to support effective and transparent democratic processes and decision making.
It invites the Members Constitutional Working Party to review the revised procedure for the execution of documents under seal, to consider the key decision financial threshold and agree any revisions to be recommended to the Leader/Cabinet, to agree the scope of the review of urgency procedures and timescales and to agree the amendments to the work plan in Appendix A and the priority for each matter as explained more fully in this report and by way of oral update by the Head of Governance at the meeting.

Any changes to the Constitution other than minor ones already delegated to the Head of Governance require the approval of Borough Council.

3. **Reason for Decision and Options Considered**

3.1 The Council’s Constitution contains a requirement that the Head of Governance will review it with a view to ensuring that it remains fit for purpose. The review process includes the consideration of proposed changes by the Members Constitution Working Party (MCWP) to enable a recommendation to Borough Council to be made.

**Documents under seal**

3.2 Following agreement by Borough Council on 16 September 2015, a formal procedure was implemented and the constitution amended to include reference to the affixing of the common seal. The MCWP will recall that all Cabinet members and the Chairs of Audit and Overview and Scrutiny committees were agreed as being suitable alternative signatories should the Mayor or Deputy Mayor not be available and the Head of Democratic Services and Section 151 Officer as alternative signatories in the absence of the Head of Governance.

3.3 On one only occasion has a Cabinet member been asked to execute a document in the absence of the Mayor/Deputy Mayor. The Head of Democratic Services as the Deputy Monitoring Officer has stepped in when the Head of Governance has been on leave and on four occasions have documents been executed outside the usual day for doing so. The revised procedure established by the Head of Governance for ensuring the authority to enter into the document under seal is available at the time of signing and which includes an updated officer certification form works well and ensures sound governance in this area.

**Key decision financial threshold**

3.4 Following a review by Overview and Scrutiny and the report to Cabinet as to its findings on 7 July 2015, it was agreed to review the financial threshold for key decisions and this was added to the MCWP work plan at its meeting in July 2015.

3.5 The definition of a key decision is set out in the Local Authorities (Executive Arrangements) (Access to information)(England) Regulations 2000 as:

i. an executive decision which is likely to result in the Local Authority incurring expenditure which is, or the making of savings which are significant having regard to the Local Authority’s budget for the service or function to which the decision relates; or
Hounslow’s threshold for significant expenditure or saving is currently £250,000.

3.6 Regrettably the benchmarking data collated by the Head of Governance in 2015 is no longer available. However in 2013 the London Borough of Enfield conducted a London Borough review and the chart below sets out an outline of the information obtained although it should be noted that this may have been subsequently amended, as with Hounslow which at that time had a limit of £100k. Also included below are some other examples from outside London.

<table>
<thead>
<tr>
<th>Local Authority</th>
<th>Threshold/Calculation Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barking and Dagenham</td>
<td>£200k</td>
</tr>
<tr>
<td>Barnet</td>
<td>£500k</td>
</tr>
<tr>
<td>Bexley</td>
<td>Detailed system of calculation</td>
</tr>
<tr>
<td>Bromley</td>
<td>£500k – adults, children and environment</td>
</tr>
<tr>
<td></td>
<td>£250k other services</td>
</tr>
<tr>
<td>Brent</td>
<td>20%</td>
</tr>
<tr>
<td>Camden</td>
<td>-</td>
</tr>
<tr>
<td>City of London</td>
<td>-</td>
</tr>
<tr>
<td>Croydon</td>
<td>£1m or such smaller sum as determined by</td>
</tr>
<tr>
<td></td>
<td>decision maker as being significant</td>
</tr>
<tr>
<td>Ealing</td>
<td>£500k</td>
</tr>
<tr>
<td>Enfield</td>
<td>£250k</td>
</tr>
<tr>
<td>Greenwich</td>
<td>-</td>
</tr>
<tr>
<td>Hackney</td>
<td>-</td>
</tr>
<tr>
<td>Hammersmith &amp; Fulham</td>
<td>£100k</td>
</tr>
<tr>
<td>Haringey</td>
<td>£500k</td>
</tr>
<tr>
<td>Harrow</td>
<td>£500k</td>
</tr>
<tr>
<td></td>
<td>£100k revenue/more than 50% of budget</td>
</tr>
<tr>
<td>Havering</td>
<td>£500k</td>
</tr>
<tr>
<td>Hillingdon</td>
<td>Revenue 10% or £500k Capital £250k</td>
</tr>
<tr>
<td>Islington</td>
<td>£1m capital</td>
</tr>
<tr>
<td></td>
<td>£500k revenue</td>
</tr>
<tr>
<td>Kensington &amp; Chelsea</td>
<td>£100k</td>
</tr>
<tr>
<td>Kingston</td>
<td>£200k</td>
</tr>
<tr>
<td>Lambeth</td>
<td>£500k</td>
</tr>
<tr>
<td>Lewisham</td>
<td>£500k</td>
</tr>
<tr>
<td>Merton</td>
<td>£500k</td>
</tr>
<tr>
<td>Newham</td>
<td>£500k</td>
</tr>
<tr>
<td>Redbridge</td>
<td>£100k or 10%</td>
</tr>
<tr>
<td>Richmond</td>
<td>-</td>
</tr>
<tr>
<td>Southwark</td>
<td>£500k</td>
</tr>
<tr>
<td>Sutton</td>
<td>-</td>
</tr>
<tr>
<td>Tower Hamlets</td>
<td>-</td>
</tr>
<tr>
<td>Waltham Forest</td>
<td>As in Financial Regulations</td>
</tr>
<tr>
<td>Wandsworth</td>
<td>-</td>
</tr>
<tr>
<td>Westminster</td>
<td>-</td>
</tr>
<tr>
<td>Area</td>
<td>Revenue</td>
</tr>
<tr>
<td>--------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>Suffolk</td>
<td>£500k</td>
</tr>
<tr>
<td>Windsor &amp; Maidenhead</td>
<td>Revenue £500k /20% of budget</td>
</tr>
<tr>
<td>Bristol</td>
<td>£500k</td>
</tr>
<tr>
<td>Lancashire</td>
<td>£1.4m</td>
</tr>
</tbody>
</table>

3.7 The MCWP is invited to consider Hounslow’s financial limit and to recommend any change to the Leader/Cabinet. Any change to the constitution to reflect a change in financial limit could be undertaken through the existing delegated powers held by the Head of Governance.

**Urgency**

3.8 On 16 September 2015 Borough Council agreed changes to the urgency procedure in respect of executive decisions. At the last WCWP meeting it was suggested that this should be further reviewed. The MCWP is invited to set out the scope of that review and its timetable in order that this can be progressed. The Head of Governance recommends that this should include urgency in respect of Council functions and in particular where matters are delegated to a committee of the Council such as Planning Committee.

**Work plan**

3.9 The work plan is at Appendix A and has been updated to include additional areas where the Head of Governance considers constitutional revision is required. The MCWP is invited to agree this and consider the priority in which the matters set out should be addressed. The Head of Governance will present an oral update at the meeting to assist the MCWP in doing so.

**Constitutional changes by the Head of Governance under delegated authority**

3.10 The recommendations presented to Borough Council on 16 September 2015 included notification to the MCWP as to any changes made to the constitution under delegated powers by the Head of Governance and any change to the Economic Prosperity Board Functions and Procedure Rules that were at that stage in draft. No changes have been made to date.

4. **Key Implications**

As set out above.

5. **Financial Details**

a) **Financial Impact On The Budget**

There are time and financial costs to the Council in reviewing and updating the constitution and which are absorbed into the day to day role of the Head of Governance and the Democratic Services team.

b) **Comments of the Director of Finance and Corporate Services**

There are no financial implications arising from this report.

6. **Legal Details/Comments of the Head of Governance**

As set out within the main body of the report.
7. **Value For Money**

The increased efficiency and transparency that will arise out of well-considered changes to the constitution are likely to be good value for money in terms of the officer and Member time spent in developing them.

8. **Sustainability Impact Appraisal**

N/A

9. **Risk Management**

N/A

10. **Links to Council Priorities**

The Members Constitutional Working Party is a committee of the Council. Its work ensures the continued efficient running of the Council and links to the priority to create an ambitious Council which improves the lives of residents and works in a transparent way.

11. **Equalities, Human Rights and Community Cohesion**

The Council as a public authority must in the exercise of its functions have due regard to its equalities duties namely to eliminate discrimination, harassment, victimisation and eliminate any other conduct that is prohibited by or under the Equality Act 2010, to advance equality of opportunity between persons who share a protected characteristic and persons who do not share it and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sexual orientation.

It is not considered that the nature of the decisions contained within the recommendations will result in any adverse impacts in respect of anyone with one or more protected characteristics. As such, there is no need for an Equalities Impact Assessment to be carried out and in making the decisions set out in the recommendations the Council will be acting in compliance with its duties.

12. **Staffing/Workforce and Accommodation implications:**

N/A

13. **Property and Assets**

N/A

14. **Any Other Implications**

N/A

15. **Consultation**

N/A
16. **Timetable for Implementation**

As set out in 3 above.

17. **Appendices**

Appendix A – Work plan

18. **Background Information**

None

REPORT ENDS
<table>
<thead>
<tr>
<th>Area</th>
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<td>1. Key decision financial</td>
<td>Following the review by Overview and Scrutiny and the report to Cabinet as to its findings on 7 July 2015, it was agreed to review the financial threshold for key decisions. This was deferred in October to allow additional time for benchmarking data to be obtained.</td>
<td>In progress</td>
<td>January 2016</td>
</tr>
<tr>
<td>threshold.</td>
<td></td>
<td></td>
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<tr>
<td>2. Urgency procedure</td>
<td>Cabinet urgency procedure updated and confirmed by Borough Council in September 2015. Review of how urgent decisions are being made, under what part of the Constitution and any improvements required to ensure compliance with statutory requirements and to promote openness, accountability and transparency. Review to include urgency in respect of Council functions delegated to Council committees e.g. Planning.</td>
<td>New</td>
<td>January 2016</td>
</tr>
<tr>
<td>3. Members’ Code of Conduct</td>
<td>Review and update of the Members’ Code of Conduct and to include whistleblowing which was overlooked at the time the constitution was reviewed in 2013. Any suggested changes agreed by the Standards Committee to be brought to a future meeting of the Members Constitution Working Party for approval, subject to time (terms of reference and appointment to committees taking place in May), before being presented to Borough Council.</td>
<td>In progress – to go to Standards Committee in March 2016.</td>
<td>April 2016</td>
</tr>
<tr>
<td>4. Town Planning Code of</td>
<td>The code is out of date and does not reflect the changes made by the Localism Act 2011 in respect of member interests.</td>
<td>New</td>
<td>January 2016</td>
</tr>
<tr>
<td>Practice</td>
<td></td>
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<tr>
<td>5. Scheme of Delegation</td>
<td>Part 7 of the Constitution – The Leader’s Scheme of Delegation sets out a number of provisions relating to</td>
<td>New</td>
<td>January 2016</td>
</tr>
<tr>
<td>14</td>
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<tr>
<td><strong>6.</strong> <strong>Accurate and timely update of the Constitution on the website and intranet</strong></td>
<td>delegation of executive functions. There are no provisions however in the Constitution which address Council functions and is an omission from when the constitution was revised in 2013. A review of the 'old' scheme of delegation to identify those that relate to Council functions will assist along with reliance on officers in regulatory teams informing the Head of Governance as to each and every general delegation that has been made and which is relied on in the exercise of Council functions by officers. A review of the Leader’s Scheme of Delegation should be included to identify and correct any anomalies within it, to streamline it if possible and to make it clear that this relates to executive functions only.</td>
<td></td>
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</tr>
<tr>
<td>7.</td>
<td>Health and Safety Committee</td>
<td>The terms of reference are not included within the Constitution and consideration should be given as to updating them to enable decisions to be made by the councillor members. The governance in this area should be reviewed to ensure decisions made previously have been implemented by the correct decision making body.</td>
<td>New</td>
</tr>
<tr>
<td>8.</td>
<td>Employee Relations Committee</td>
<td>The terms of reference are not included within the Constitution but in a HR Policy. This should be corrected and consideration given to revising them.</td>
<td>New</td>
</tr>
</tbody>
</table>