



Report to: Council, 16th May 2017

Report of: Monitoring Officer

**Subject: IMPLEMENTATION OF COMMITTEE MODEL OF GOVERNANCE -
ADOPTION OF CONSTITUTION**

1. Recommendation

- 1.1 That Council adopts a revised Constitution which implements the Committee model of governance.**
- 1.2 That Council agrees that any changes to parts 2, 3 or 15 of the Constitution shall require a two-thirds majority of Council.**
- 1.3 That Council delegates authority to the Monitoring Officer to finalise parts 16, 17 and 20 of the Constitution prior to publication.**

2. Background

- 2.1 At its meeting on 22 November 2016, Council decided to implement the Committee model of governance with effect from Annual Council in May 2017. The Constitution has been revised and updated to provide a framework for the governance of the Council under the committee model of governance.

3. Summary of Constitution

- 3.1 The Council's Constitution has been divided into 20 sections. The Constitution is set out in **Appendix 1** of this report. The purpose and content of each section is summarised below:

Part 1 Summary and Contents – an overview of the committee model of governance and a table of contents.

Part 2 Articles of the Constitution – the Articles of the Constitution provide the detailed arrangements for the governance of the Council, including roles of councillors, senior officers, rights of members of the public as well as financial and legal matters.

Part 3 Responsibility for Functions – an overview of the different committees of the Council as well as their specific roles and responsibilities.

Part 4 Council Procedure Rules – these are the rules which govern the conduct of meetings of full Council.

Part 5 Committee Procedure Rules – these are the rules which govern the conduct of meetings of committees of the Council.

Part 6 Access to Information Procedure Rules – these rules set out the rights of the public to access council documents and the categories of exempt information.

Part 7 Budget and Policy Framework Procedure Rules – these rules set out the procedure for the preparation and setting of the Council’s budget.

Part 8 Financial Regulations – these rules set out the procedures for the management of the Council’s finances.

Part 9 Procurement Code – these rules set out the procedures for the management of procurement.

Part 10 Employment Procedure Rules – these rules set out the procedures for the recruitment of senior and statutory officers.

Part 11 Members’ Code of Conduct – this is the code of conduct which applies to all members of the Council.

Part 12 Planning Good Practice Protocol – this protocol covers the conduct of members and officers dealing with planning matters

Part 13 Protocol for Member/officer relations – this protocol covers the conduct of members and officers and their relations with each other.

Part 14 Employees Code of Conduct – this is the code of conduct which applies to all employees of the Council.

Part 15 Group Leaders’ Protocol – this protocol has been developed to provide a framework for the management of the corporate governance of the Council and the procedures that need to be followed at a time of No Overall Control on the Council.

Part 16 – Members’ Allowances Scheme – the agreed scheme of Member’s allowances, which is the subject of a separate report to Council (not included in the Appendix).

Part 17 – Management Structure – the current management structure chart of the Council is being updated to reflect recent changes to senior management (not included in the Appendix).

Part 18 – Scheme of Delegation to Officers – this scheme sets out the specific roles and responsibilities of officers.

Part 19 – Councillors’ duties – this sets out the roles and responsibilities of all councillors as well as the specific responsibilities of the Leader/Deputy Leader, Mayor/Deputy Mayor and Chairs/Vice chairs of committees.

Part 20 – Councillor information – this sets out the detail in terms of appointments to committees as well as outside bodies. The appointment to committees is the subject of a separate report to Council (not included in the Appendix).

- 3.2 In order to allow the new model of governance to embed, it is recommended that there should be no material changes to the Council’s Constitution and that any changes to parts 2, 3 or 15 shall require a two-thirds majority of Council.

3.3 Parts 16, 17 and 20 will need to be finalised following the Council meeting. There have been a number of changes of personnel in the Management Structure and Part 16 will be updated to reflect those changes. Part 17 is the subject of a separate item on the agenda. Part 20 covers some of the appointments that will be made under a separate item on the agenda, however appointments to outside bodies will be made at a future meeting of the Policy and Resources Committee. For these reasons, it is recommended that the Monitoring Officer has delegated authority to finalise Parts 16, 17 and 20 of the Constitution prior to publication.

4. Implications

4.1 Financial and Budgetary Implications

None directly arising from this report.

4.2 Legal and Governance Implications

The Council's Constitution sets out the legal framework in which the Council should operate and provides a reference for the good governance of the Council.

4.3 Risk Implications

An up to date Constitution provides clear guidance for members and officers on the effective operation of the Council.

4.4 Corporate/Policy Implications

The adoption of a new Constitution is a key element of the work to implement the Council decision of 22 November 2016 to adopt the Committee model of governance.

4.5 Equality Implications

None directly arising from this report.

4.6 Human Resources Implications

None directly arising from this report.

4.7 Health and Safety Implications

None directly arising from this report.

Ward(s): All wards
Contact Officer: Tim O'Gara, Deputy Director - Governance
Tel. No. 01905 722019
Email: timothy.ogara@worcester.gov.uk
Background Papers: None