

## Proposed Changes to the Constitution

To: Constitution and Ethics Committee

Meeting Date: 18 June 2024

From: Service Director: Legal and Governance

Outcome: To consider proposed revisions to the Council's Constitution.

Recommendation: The Constitution and Ethics Committee is asked to:

Recommend the following changes to the Constitution, as set out in Section 2 of the report, to Full Council:

- (i) Authority for the Adults and Health Committee to establish Task and Finish groups; and
- (ii) Removal of the requirement for the Council to agree the Scheme of Delegation at its annual meeting.

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## 1. Background

- 1.1 The Local Government Act 2000 requires all local authorities to have a constitution that contains the standing orders and the code of conduct, as well as any other information that the authority considers appropriate. Changes to the Council's Constitution are considered by the Constitution and Ethics Committee before being recommended to Full Council for approval.

## 2. Main Issues

### Task and Finish Groups

- 2.1 Task and Finish groups are an established method of conducting health scrutiny outside of formal committee meetings, but the Adults and Health Committee does not currently have the authority to establish them. Instead, there is a reliance on the Executive Director of Adults, Health and Commissioning to establish informal working groups.
- 2.2 The Pension Fund Committee is currently the only committee with the authority to set up task and finish groups.
- 2.3 It is therefore proposed to include the following delegation in the Adults and Health Committee's terms of reference:

Authority to set up task and finish groups in support of the committee's statutory health scrutiny function.

### Scheme of Delegation

- 2.4 The Scheme of Delegation to Officers (Part 3D of the Council's Constitution) describes the extent and nature of the authority delegated to officers to undertake functions on behalf of the Council.
- 2.5 Section 1.2 (f) of the Council Procedure Rules (Part 4.1 of the Council's Constitution) states that the annual meeting will agree the Scheme of Delegation or such part of it as the Constitution determines it is for Council to agree (as set out in Part 3 of the Constitution).
- 2.6 This requirement was originally included in the constitution as part of the wider adoption of the Modular Constitution that was published alongside the Local Government Act 2000.
- 2.7 While it may be practical for authorities that would not otherwise provide regular oversight of the most significant delegations to officers, the Council's Scheme of Delegation is regularly updated and reviewed by the Constitution and Ethics Committee and Full Council.
- 2.8 It is therefore proposed to remove Section 1.2 (f) of the Council Procedure Rules.

## 3. Source Documents

- 3.1 [The Council's Constitution](#)