



OFFICER REPORT TO COUNCIL

AMENDMENTS TO THE CONSTITUTION

KEY ISSUE/DECISION:

This report sets out the changes that are required to be made to the Council's Constitution in line with changes to statute and proposed amendments to the role of Cabinet Associates within the Council's Standing Orders. It also seeks approval for proposed changes to the Officer Code of Conduct.

BACKGROUND:

FUNCTIONS FOR DECISION BY COUNCIL:

Standing Orders – proposed adoption of revision to role of Cabinet Associates at County Council meetings – for approval by Council

1. In order to clarify the role of Cabinet Associates at County Council meetings, the Council's Standing Orders have been revised to specify that a Cabinet Associate is able to speak on an item at a County Council meeting in the absence of the relevant Cabinet Member.
2. The Council's Standing Orders have been revised and can be found attached as Annex A. It is recommended that the Council approve the proposed changes as set out in the attached Annex (please note that this version assumes that the changes proposed amendments in item 11 will have been approved).

Standing Orders – adoption of changes in relation to The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 – for approval by Council

3. The Council are asked to note that there have been changes to The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 which relate to the dismissal and disciplinary of certain officers (namely the Head of Paid Service, Monitoring Officer and Chief Finance Officer).
4. In light of these changes, the Council's Standing Orders have been updated to reflect the changes in legislation that are effective from 11 May 2015. The updated Standing Orders are attached as Annex A.
5. It is recommended that the Council approve the revised Standing Orders and that the necessary changes are made to the Council's Constitution.

Officer Code of Conduct – proposed adoption of revisions – for approval by Council

6. The Officer Code of Conduct has been revised following an internal audit report on 'organisational ethics'. It was requested that the policy be updated to ensure that officers are aware of the recognised ethics of public service.
7. In line with this, it is recommended that the Officer Code of Conduct is updated to incorporate the Seven Standards of Public Life. The proposed policy is attached as Annex B.
8. The People, Performance and Development Committee are due to consider this at their meeting on 12 May and are expected to endorse the updated policy.
9. Printed copies of the updated Standing Orders pages and Officer Code of Conduct will be circulated to replace the existing copies in Members' Constitutions.

RECOMMENDATIONS:

It is recommended:

- a) that the County Council agrees to the relevant changes to its Standing Orders regarding:
 - i) the role of Cabinet Associates at County Council meetings
 - ii) the removal of the statutory protection in respect of disciplinary action for the Head of Paid Service, Monitoring Officer and Chief Finance Officer
- b) that the amendments to the Officer Code of Conduct be approved.

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Annexes:

Annex A – Revised Standing Orders
Annex B – Revised Officer Code of Conduct

Sources/background papers:

People, Performance and Development Committee papers – 12 May 2015
Council's Constitution
The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015
