



OFFICER REPORT TO COUNCIL

AMENDMENTS TO THE CONSTITUTION – ARTICLES

KEY ISSUE/DECISION:

Surrey County Council has a Constitution which is agreed by Members and sets out how the Council operates, how decisions are made and the procedures to be followed to ensure that they are efficient, transparent and accountable to the residents of Surrey.

The Constitution contains Articles that set out the basic rules governing the Council's business and these have been updated to ensure that they are fit for purpose.

The County Council is asked to agree the updated Articles so that these can be implemented and published on the Council's website.

BACKGROUND:

1. The current version of the Council's Articles of the Constitution have been in place since 2012 with minor changes approved to specific sections in 2013, 2014 and 2015 to ensure that they reflect current legislation.
2. Work has been undertaken to review all of the Articles within the Constitution and as a result these have been updated in terms of format, language and layout. Plain English has been used and legalistic terms explained to ensure the Articles are fit for purpose and can be easily understood by the layman. The updated Articles can be found at **Annex A**.
3. As part of the review it was identified that information relating to meeting procedures had been included within the Articles and it was felt that this would fit better within the Council's Standing Orders (Part 4 of the Council's Constitution). This will ensure that all information relating to meeting procedures can be found in one place. The proposed information to include within Standing Orders can be found at **Annex B**.

DETAIL OF CHANGES:

4. Changes to the Articles of the Constitution include the following:

- **Article 7** – Scrutiny Boards – this Article has been updated to reflect the recent changes to scrutiny and the new arrangements that are now in place including the revised Select Committee remits agreed by the County Council in May 2017. The changes include amendments to paragraphs (i) (Members’ requests for the inclusion of items on agenda) and (j) (Councillor Call for Action) to reflect the fact that work programmes for all select committees are now determined by the Overview & Budget Scrutiny Committee. A process for dealing with urgent requests is set out, and the changes do not impact on Members’ statutory right to request items under these paragraphs.

For completeness, the following additions have also been made to the agreed committee remits: ‘Workforce Planning’ added to the Overview & Budget Scrutiny Committee; and ‘Health & Safety’ added to the Corporate Services Select Committee.

- **Access to Information** - All references to Access to Information have been pulled together to create a new Article 15, which contains all the access to information details to ensure this information is easy to locate and to avoid duplication.
- **Meeting procedures** – Information relating to meeting procedures has also been removed from individual Articles for insertion into Part 4 of the Constitution – Standing Orders, where it more logically sits.

5. All other changes made are minor to ensure factual accuracy and to make the document easier to read and use.

6. Legal Services have been consulted on all the proposed changes and have confirmed that they are satisfied with them.

NEXT STEPS:

7. Once approved by Council the revised Articles will be published on the Council's website as part of the Council's Constitution.

8. The information to be moved to the Council's Standing Orders will be inserted into the relevant places and renumbered accordingly. Once this has been completed, the revised Standing Orders will be also be published on the Council's website.

<u>RECOMMENDATION:</u>

It is recommended that:

- A. the updated Articles of the Constitution as shown in **Annex A** be adopted and included within the Council's Constitution and published on the Council's website.
- B. the Select Committee Chairmen's Group and Group Leaders will report back to Council with a review of the effectiveness of the new scrutiny arrangements (Article 7) at the end of the municipal year 2017/18.
- C. the procedural information formally contained in the Articles, as shown in **Annex B**, be inserted into the relevant sections of Part 4 of the Constitution (Standing Orders).

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Annexes:

Annex A – Revised Articles of the Constitution
Annex B – Information to be included within the Council's Standing Orders (Part 4 of the Constitution)

Sources/background papers:

The Council's Constitution

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