



REPORT OF:	MONITORING & SECTION 151 OFFICERS
TO:	COUNCIL FORUM
ON:	16 JULY 2015

SUBJECT: Constitution, Pay Policy Statement and Contract Procurement Procedure Rules Updates

1. PURPOSE

To advise the Council that the Constitution has been updated following changes in organisational structure previously noted with now consequential changes to the Scheme of Delegation included.

Furthermore that whilst the Director for HR, Legal & Corporate Services has under the existing Constitution delegated responsibility "To exercise the arrangements for the Registrar of Births Marriages and Deaths", for the avoidance of doubt, members are asked to confirm that the statutory post of Registrar of Births Marriages and Deaths be held by the current post holder, now delegated from the Director of Finance & IT with the proper officer for the Registration Service being the Director for HR, Legal & Corporate Services. As a consequence changes also be made to the Constitution to reflect those changes to the list of statutory officer and proper officer as set out in the Appendices.

At the meeting on 2 March 2015 the Finance Council also approved the Pay Policy statement prepared in accordance with the requirements of Section 38 of the Localism Act 2011 to have effect for the year 2015/2016 unless replaced or varied by the Council. With the changes to the organisational structure as referenced above the Pay Policy Statement has been updated. In addition following the publication of the Annual Statement of Accounts the Pay Policy Statement has been updated to reflect full year 2014/15 pay data.

To further seek approval to update the Constitution with revised Contract Procurement Procedure Rules.

2. RECOMMENDATIONS

To approve:

- (i) The updates made to the Constitution to reflect the organisational changes previously noted (Appendices `1` and `2` refers).
- (ii) To confirm that the statutory post of Registrar of Births Marriages and Deaths be held by the current post holder, and that the proper officer for the Registration Service shall be the Director for HR, Legal & Corporate Services. (Appendix `3` refers).
- (iii) Subject to (i) above the update to the Pay Policy Statement for 2014/15 as set at in this report. (Appendix `4` refers).
- (iv) The revised Contract Procurement Procedure Rules and for the Constitution to be updated accordingly (Appendix `5` refers).

3. BACKGROUND

The Constitution is a key document setting out the governance framework of the Council. From time to time the constitution needs to be updated to reflect changes in legislation, resolutions passed by Council, portfolio changes made by the Leader, and changes made to the Council management structure and delegations. The Constitution was last updated in April 2015.

4. RATIONALE

Since the last constitutional updated there have been some changes, including to the Council's organisational structure requiring updates to chief officer portfolio responsibilities and other for clarification purposes to the list of Statutory officers and proper Officers.

These changes also need to be reflected in the Pay Policy Statement. Also as reported in the Pay Policy Statement approved by the Council in March, the Pay Policy Statement required a data refresh to reflect full year data from 2014/15 coinciding with the publication of the final accounts.

The Pay Policy has also been updated to reflect the revised definition of `Pay Multiple` to now be included in Pay Policy Statements.

In addition, a revised version of the Council's Contract Procurement Procedure Rules has been produced which is proposed to be approved and incorporated into the constitution. The new rules have been designed to be easier for officers to use, reflect changes in legislation and the Council's move to e-procurement and maximise opportunities for local providers.

The Constitution is publicly available on the website and is available in printed form in the Group rooms.

The sections updated reflecting the Organisational changes are set out in Appendices to this report as is the proposed pay Policy update and the proposed

revised Contract Procurement Procedure Rules

5. POLICY IMPLICATIONS

Constitutions set out the governance framework for local authorities, which provide the foundations for any local authority that aspires to be effective, progressive and successful.

6. FINANCIAL IMPLICATIONS

None

7. LEGAL IMPLICATIONS

The Local Government Act 2000 requires local authorities to prepare, keep up-to-date and publicise their constitution. Section 38 of the Localism Act 2011 requires the Council to prepare and publish pay policy statements.

The amendments to the Contract Procurement Procedure Rules are in accordance with Procurement Law most notably the changes introduced by the Public Contracts Regulations 2015.

8. RESOURCE IMPLICATIONS

None

9. EQUALITY IMPLICATIONS

The constitution update reflects changes in legislation. It also reflects various resolutions passed at Council, which would have been subject to an equality assessment, if any.

10. CONSULTATIONS

N/A

Chief Officer/Member

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Background Papers: None