

Report to Council

Subject: Changes to the Constitution following the Management Restructure

Date: 20 April 2016

Author: Director of Organisational Development & Democratic Services

1. Purpose of the Report

To seek approval to amend the Constitution and any policy or procedure approved by Council to reflect the new management arrangements following the management restructure.

2. Background

- 2.1 On 24 November 2015 the Appointments and Conditions of Service Committee agreed a number of proposed changes to the existing staffing arrangements across the Council, including changes to Senior Leadership Team. The new structure became effective on 11 January 2016.
- 2.2 The current Constitution refers to posts existing in the outgoing structure and therefore will need to be amended to take account of the new structural arrangements.
- 2.3 Individual Committees and the Executive are being asked separately to agree to amend existing officer delegations previously approved by them. The Constitution will be amended to take account of these decisions.

3. Proposal

- 3.1 It is proposed that the Constitution and any policy or procedure approved by Council be amended as follows:
 - a) delete references to Council Solicitor and Monitoring Officer and replace with Director of Organisational Development and Democratic Services in relation to legal functions and replace with Monitoring Officer in relation to Monitoring Officer functions;
 - b) delete reference to Corporate Director and replace with:
 - Deputy Chief Executive and Director of Finance in relation to Finance, Parks and Street Care, Waste, Transport, Revenues and Benefits and Audit and Asset Management functions;
 - Director of Health and Community Wellbeing in relation to Leisure, Public

Protection, Housing and Community Relations functions;

- Director of Organisational Development and Democratic Services in relation to Legal, Elections and Member Services, Organisational Development, Customer Services, IT and Communications functions; and
- Head of Planning and Economic Growth in relation to Planning, Building Control and Economic Development functions.

3.2 Any delegations to statutory officers (Head of Paid Service, Chief Financial Officer and Monitoring Officer) are unaffected and will remain.

3.3 The current Constitution includes provisions to enable the Chief Executive to deal with all matters delegated to Corporate Directors and the Corporate Directors to exercise all functions of the Chief Executive in his absence. It is intended that these provisions remain with a minor amendment to reflect the new management structure.

3.4 The proposed changes do not fall within Standing Order 29 which states:

“29. Variation and Revocation of the Constitution

Any motion to add to, vary or revoke the Articles of the Constitution, Procedural Standing Orders, Standing Orders relating to Contracts, Standing Orders dealing with Land and Standing Orders relating to staff except for the amendment of financial limits and other amendments appropriate to give effect to changes in officers’ duties, responsibilities and titles, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.”

Consequently, they can be agreed straightaway.

4. Financial Implications

None arising from this report

5. Appendices

None

6. Background Papers

None identified

7. Recommendations

It is recommended that:

- a) the current references in the Constitution and any Policy or procedure approved by Council are amended as set out in the report to reflect the new management arrangements following the management restructure, and
- b) the Monitoring Officer be authorised to make any necessary amendments to reflect the new management arrangements.