



Report for: Council

Date of Meeting: 30 November 2023

Subject: Constitution Update

Responsible Officer: Jessica Farmer, Interim Director of
Legal & Governance Services

Exempt: No

Wards affected: All Wards

Enclosures: Appendix A – Cabinet Decisions
Protocol
Appendix B – Code of Conduct for
Officer Member Relations
Appendix C – Protocol on Gifts and
Hospitality

Section 1 – Summary and Recommendations

This report sets out amendments to the constitution.

Recommendations:

That:

- (1) Council agrees to amend the parts of the constitution as attached at Appendix A, B and C.
- (2) the Monitoring Officer be authorised to make these changes to the constitution.

Section 2 – Report

- 2.1 As part of the continuous review of the Constitution, it is considered that improvements can be made.
- 2.2 It is proposed the Cabinet Decisions Protocol be deleted from the Constitution as the information detailed within it is already contained in other parts of the Constitution.
- 2.3 It is also proposed that the Protocol for Members and Officers be replaced with a new version contained at Appendix B. It is considered that the new version is much clearer.
- 2.4 Lastly the Protocol on Gifts and Hospitality required updating in several areas.
- 2.5 The amendments have been considered by members of the Constitution Review Working Group.

Legal Implications

- 3.1 The parts of law relevant to the acceptance of gifts and hospitality is set out in the Bribery Act 2010.

Financial Implications

- 4.1 The amendments to the constitution will be contained within existing budgets.

Risk Management Implications

- 5.1 The drafting amendments will better reflect the legislation.

Risks included on corporate or directorate risk register? **No**

Separate risk register in place? **No**

The relevant risks contained in the register are attached/summarised below. **n/a**

Risk Description	Mitigations	RAG Status
That the changes do not improve the interpretation of the constitution.	<ul style="list-style-type: none">• The changes are a more literal and clear interpretation of the legislation.	Green

Equalities implications / Public Sector Equality Duty

Was an Equality Impact Assessment carried out? No

If no, state why an EqIA was not carried out below:

There are no equalities implications with the suggested proposal.

Council Priorities

The suggested proposal contributes towards all the Council's corporate priorities by clarifying the rules within the constitution.

1. **A council that puts residents first**
2. **A borough that is clean and safe**
3. **A place where those in need are supported**

Section 3 - Statutory Officer Clearance

Statutory Officer: Sharon Daniels

Signed by the Chief Financial Officer

Date: 21 November 2023

Statutory Officer: Jessica Farmer

Signed on by the Monitoring Officer

Date: 21 November 2023

Mandatory Checks

Ward Councillors notified: NO, as it impacts on all Wards

Section 4 - Contact Details and Background Papers

Contact: Vishal Seegoolam, Democratic, Electoral & Registration Services Manager, 020 8424 1158

Background Papers: None

If appropriate, does the report include the following considerations?

- | | | |
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| 1. | Consultation | YES |
| 2. | Priorities | YES |