



Report for: Council

Date of Meeting: 16 May 2024

Subject: Constitution Update

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

Exempt: No

Wards affected: All Wards

Enclosures: Appendix A – Council Procedure Rules
Appendix B – Petitions
Appendix C – Officer Code of Conduct

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) authority is given to the Monitoring Officer 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 that the Council Procedure Rules be amended to reflect a number of changes. These include changes to the notice period provided for speakers at Council, and making the same rules that apply to motions applicable to amendments to motions.
- 2.3 It is also proposed that the rules on petitions be amended in all relevant procedure rules. This provides criteria by which petitions must abide by.. It also provides for petitions provided by the public to be given to Democratic Services in advance by midday on the day of the meeting.
- 2.4 It is also proposed that the Officer Code of Conduct be updated as contained at Appendix C. Trade Union representatives have been consulted on these proposals and their comments have been reflected accordingly.
- 2.5 The amendments have been considered by members of the cross party 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.
- 3.2 Updating the constitution is a matter for full council.

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: 21/02/2024

Statutory Officer: Jessica Farmer

Signed by the Monitoring Officer

Date: 20/02/2024

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