

# REPORT FOR: **COUNCIL**

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**Date of Meeting:** 25 February 2016

**Subject:** Proposed protocol on officer decision-making

**Responsible Officer:** Hugh Peart  
Monitoring Officer

**Exempt:** No

**Wards affected:** None

**Enclosures:** Appendix A – Proposed protocol on officer decision-making

## **Section 1 – Summary and Recommendations**

This report sets out details of a proposed protocol on officer decision-making.

### **Recommendations:**

Council is requested to agree the insertion of the protocol on officer decision-making set out at Appendix 1 in Part 5 of the Constitution.

## **Section 2 – Report**

1. The Constitutional Review Working Group has considered the change to the Constitution as set out below and the attached appendix.
2. Local authorities are required under the Openness of Local Government Bodies Regulations 2014 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information (England) Regulations 2012 to publish records of certain decisions made by officers. Decisions which are covered by this requirement are:
  - a. Those made under an express delegation by Council, a committee or sub-committee or Cabinet; and
  - b. Permissions or licenses and decisions that affect the rights of individuals.

3. It is proposed to add a protocol to the constitution to set out what decisions need to be recorded and what details need to be included in the record. In respect of b. above, Legal Services has come to a view as to the decisions that are covered by this requirement and this is set out in the proposed protocol which is attached at Appendix 1. A template has also been developed and arrangements are being made for this to be uploaded onto the Hub and for completed templates to be uploaded to the external website. Publication on the Council's website is required under the Regulations.
4. It is proposed that the protocol be added as P in Part 5 of the Constitution.

### **Legal comments**

5. The legal requirements in relation to these proposals are set out in the body of this report and explained further in the protocol itself.

### **Financial Implications**

6. There are no financial implications arising from this report.

### **Risk Management Implications**

Risk included on Directorate risk register? No

Separate risk register in place? No

### **Equalities implications**

Was an Equality Impact Assessment carried out? No.

There are no equalities implications arising from this report.

### **Council Priorities**

An up to date and effective constitution is important in facilitating proper decision-making in the Council.

## **Section 3 - Statutory Officer Clearance**

Name: Dawn Calvert	<input checked="" type="checkbox"/>	Chief Financial Officer
Date: 15.02.16		
Name: Caroline Eccles	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 15.02.16		

**Ward Councillors notified:**

**NO**

## **Section 4 - Contact Details and Background Papers**

**Contact:** Caroline Eccles, Senior Lawyer, Employment and Governance, tel: 0208 424 7580.

**Background Papers:** None

If appropriate, does the report include the following considerations?

1.	Consultation	NO
2.	Priorities	YES