

| Report for: | Council |
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| 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 |
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| 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. | * 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?

1. Consultation YES

2. Priorities YES