

CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting: 19th September 2013
Report of: Head of Governance and Democratic Services
Subject/Title: Work Programme

1.0 Report Summary

1.1 This report reviews the programme of work approved previously by the Constitution Committee.

2.0 Recommendations

2.1 That

1. the Committee consider its work programme and agree any required amendments;
2. a full report on the frequency of meetings, including the related issues identified in the report, be brought to the Committee in due course; and
3. a working group be appointed to commence the review of the scrutiny and policy development group structure, the group to include non-Committee members if it is felt that a wider perspective of the structure would be of benefit.

3.0 Reasons for Recommendations

3.1 To enable the Committee to monitor progress with the work programme and make any desired changes.

4.0 Wards Affected

4.1 N/A

5.0 Local Ward Members

5.1 N/A

6.0 Background

6.1 Members have commented previously that it would be helpful for a report to be included on the Committee's agenda setting out the programme of work agreed by the Committee. This would enable Members to keep track of the work the Committee has commissioned and to monitor progress. It would also enable

Members to make informed decisions on additional work in the light of existing commitments, and to set priorities.

- 6.2 The work programme is set out below. For completeness, the programme also includes matters which have been referred to the Committee for consideration by another body of the Council and which have not yet been dealt with by the Committee.

1. Review of Officer Scheme of Delegation

The officer scheme of delegation has been reviewed by a member working group appointed by the Committee. It was necessary to review the scheme following the recent reviews of and significant changes to the Council's senior management structure. The other main aim of the review was to improve officer accountability and increase member involvement in decision-making. The working group has now completed its review and a report is included on this agenda.

2. Frequency of Meetings

The Committee at its meeting on 24th January 2013 considered a report on whether the frequency of the Council's meetings should be reviewed. The officers were asked to submit a further report to the Committee's meeting on 19th September 2013 following further detailed work, and having allowed time for the new scrutiny committees and policy development groups to settle in.

It has not been possible to bring to the Committee a full report on this matter. This is partly because the new structure of policy development groups and scrutiny committee is still settling in. In addition, more work is required on issues such as the size of committees, member attendance, comparisons with other authorities, the potential for joining up decision-making, and substitution rules. There could be positive resource implications arising from this work. It is therefore recommended that a full report be brought to the Committee in due course.

3. Policy Development Groups and Scrutiny Committees

As mentioned above, the new structure of policy development groups and scrutiny committees is still settling in. Training proposals are being developed for policy development group members which will assist them in their work. However, it would be beneficial if the awaited review of the scrutiny and policy and development group structure could be commenced. It is therefore recommended that a working group be appointed to commence the review of the scrutiny and policy development group structure, the group to include non-Committee members if it is felt that a wider perspective of the structure would be of benefit.

4. Transparency

The Committee at its meeting on 5th June 2013 considered an update report on the work that was going on across the authority to encourage

openness and transparency. Members also gave further consideration to a motion which had been moved by Councillor B Murphy and seconded by Councillor P Edwards at the Council meeting on 19th July 2012 calling for a review of the Council's policies and protocols in relation to confidentiality."

The Committee resolved that That the member working group appointed to review the scheme of delegation be asked to review the issue of transparency, openness and access to information, with the support of the Customer Service and Libraries Manager To assist the working group, the Customer Service and Libraries Manager was asked to obtain comparative data from other local authorities.

The member working group appointed to consider the scheme of delegation has now completed that work and a meeting of the working group will shortly be convened to consider the issue of transparency and openness. As a result of the ongoing review of the management structure, the officer responsibility for this matter has changed and Democratic Services are now liaising with the Customer Relations and Compliance Manager who will be advising the working group on this matter and who is currently obtaining the necessary comparative data.

5. Size and Structure of the Constitution

The Committee at its meeting on 5th June 2013 had a general discussion on the Constitution to identify key priorities for review. One of these was the size and structure of the Constitution. The Committee felt that the current version of the Constitution was quite large and complex and that Members generally would benefit from the production of a more concise version which contained the most essential information in a clear and straightforward way. The officers have been working with the Committee's Vice-Chairman to produce a concise, user-friendly version for the Committee's consideration, although this work is still in its early stages. Alongside this work, the Interim Head of Legal Services has instructed an officer working group to undertake a review of the Constitution/finance and contract procedure rules. These two streams of work will be co-ordinated with a view to submitting proposals for consideration in due course.

6. Review of the Procedure Rules

At the meeting on 5th June, the Committee also felt that a general review of the various procedure rules within the Constitution would be beneficial. Given the present workload, this review has yet to begin. Because of the nature of such a review, which would involve detailed working through many pages of the Constitution, the Committee may wish to consider appointing a working group to undertake this work and report back with any recommended changes.

7. Notice of Motion – Staffing Committee Terms of Reference

Council at its meeting on 18th July 2013 considered a motion proposed by Councillor Brendan Murphy and seconded by Councillor Arthur Moran that "Council requests an immediate review of the Staffing Committee's terms

of reference with a view to widening its remit to encompass matters that are normally entailed in the work of a staffing committee such as corporate culture, employee relations and communications, senior appointment, disciplinary matters and management structures.” The motion stood referred to this Committee.

The Head of Human Resources is investigating this matter with a view to reporting to the Committee’s meeting on 21st November 2013.

7.0 Policy Implications

7.1 There are no direct policy implications

8.0 Financial Implications

8.1 There are no direct financial implications

9.0 Legal Implications

9.1 There are no direct legal implications

10.0 Risk Management

10.1 There are no direct risk management implications

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Paul Mountford
Designation: Democratic Services Officer
Tel No: 01270 686472
Email: paul.mountford@cheshireeast.gov.uk