
REPORT TO: OVERVIEW COMMITTEE

AGENDA ITEM: 6

DATE OF MEETING: 11TH AUGUST 2003

CATEGORY: DELEGATED

REPORT FROM: CHIEF EXECUTIVE

OPEN PARAGRAPH NO: N/A

MEMBERS' CONTACT POINT: ANDREA McCASKIE (5831)

DOC:

SUBJECT: CONSTITUTION ACTION PLAN

REF:

WARD(S) AFFECTED: ALL

TERMS OF REFERENCE: FM03

1.0 Reason for Exempt

1.1 Not applicable.

2.0 Recommendations

2.1 To make recommendations to the Council on matters contained in the Constitution action plan for formal response to District Audit.

3.0 Purpose of Report

3.1 As above.

4.0 Detail

4.1 Members will recall that at the last Meeting held on 23rd June 2003, it was agreed that a report on progress on the action plan be submitted to this Meeting. Accordingly, a copy of the plan is attached at Annexe 'A' for Members' consideration which now incorporates the status of each individual action.

5.0 Financial Implications

5.1 None.

6.0 Corporate Implications

6.1 None.

7.0 Community Implications

7.1 None.

8.0 Background Papers

8.1 None.

NEW POLITICAL STRUCTURES – COMPOSITE ACTION PLAN

REF.	PROPOSED ACTION	STATUS	PRIORITY	RESPONSIBLE OFFICER/MEMBER
	Issue: Decision Making			
1.	<p>Terms of Reference: Review the Terms of Reference of Policy Committees to address any overlapping or unallocated functions. Responsibility for Asset Management has been identified as a specific issue.</p>	Terms of Reference reviewed by Chairs of Policy Committees and approved by Council. Asset Management recently considered by all Policy Committees for reference to Council on 14th August 2003.	HIGH	Chief Executive; Leader & Chairs /Vice Chairs of Policy Committees
2.	<p>Delegation: Review the scheme of delegations, ensuring that any agreement is clear to members and provides for scrutiny of decisions. The review should also cover partnership working.</p> <p>Supporting actions</p> <ul style="list-style-type: none"> ▪ Strengthen/develop the policy framework to underpin the scheme of delegations ▪ Review the working of Policy Committees (including the composition of agendas) to devote more time to policy development and performance management 	To review the scheme of delegation.	HIGH	Chief Executive; Leader
3.	<p>Chairs of Policy Committees: Consider making all Chairs of Policy Committees members of the Finance and Management Committee.</p>	Completed.	HIGH	Leader
4.	<p>Policy Committees – Reports: Review reporting arrangements (in particular, the provision of options for decision making).</p>	To be linked with the scheme of delegation.	HIGH	Chief Executive
5.	<p>Transparency: Investigate the feasibility of allowing members of the public to speak at Policy Committees, the Development Control Committee and Council.</p>	Constitution allows for public questions at Policy Committees and Council Meetings. Public speaking at Development Control Committee included in the Development Control Best Value Review Action Plan.	HIGH	Chief Executive & Deputy Chief Executive (Development Control)

	Issue: Role of Full Council			
6.	<p>Working arrangements: Review the working of full Council to eliminate unnecessary bureaucracy, stimulate debate, and provide more information to Members on key issues.</p> <p>Issue: Overview and Scrutiny</p>	Continuing to receive presentations and information on current issues e.g. IEG Statement and CPA.	MEDIUM	Chief Executive Full Council
7.	<p>Terms of Reference: Review and clarify the terms of reference for Overview and Scrutiny Committees.</p>	Under consideration by Chairs of Scrutiny Committees.	HIGH	Chief Executive; Leader & Chairs/Vice Chairs of Overview and Scrutiny Committees
8.	<p>Operation: Review the way in which Scrutiny operates to:</p> <ul style="list-style-type: none"> ▪ Effectively scrutinise performance ▪ Hold Policy Committees to account ▪ Further develop an outward-looking focus <p>Supporting actions</p> <ul style="list-style-type: none"> ▪ Ensure that Officers and all Members are clear about the roles and operation of Scrutiny ▪ Ensure that staff resources are in balance with the work programme and Member expectations. ▪ Review arrangements for substitution at Scrutiny Committee meetings 	Under consideration by Chairs of Scrutiny Committees.	MEDIUM HIGH: Rest MEDIUM	Deputy Chief Executive & Policy and BV Manager; Chairs/Vice Chairs of Overview and Scrutiny Committees Chief Executive Leader
9.	<p>'Call-in': Review arrangements for 'call-in' (including the provision of reasons by Members requesting a decision to be reviewed, timescales and feedback to Policy Committees).</p> <p>Issue: Quasi-judicial functions</p>	Under consideration by Chairs of Scrutiny Committees.	HIGH	Deputy Chief Executive; Chair/Vice Chair of Overview Committee
10.	<p>Transparency: Clarify in the constitution the rules governing the scrutiny of regulatory functions NB: <i>this appears to be an oversight – the issue is covered by Overview and Scrutiny Procedures Rule 9(c)</i></p>	Oversight – already covered. No further action necessary.	HIGH	Deputy Chief Executive

	Issue: Area Meetings			
11.	<p>Effectiveness: Review the working of Area Meetings so that they can work more co-operatively with the County Council and more effectively represent and lobby for their community</p>	County Councillors always present and County Officers in attendance when requested.	MEDIUM	Chief Executive
	Issue: New Ethical Framework			
12.	<p>Operation and promotion: Ensure that:</p> <ul style="list-style-type: none"> ▪ The next phase in the implementation of the new ethical arrangements is adequately managed ▪ All Members are clear about their obligations under the new ethical arrangements ▪ The operational effectiveness of the new ethical arrangements is not unduly constrained by inadequate resources ▪ The new Standards Committee looks to be a visible presence in promoting high levels of probity in both Parishes and the District. 	<ul style="list-style-type: none"> • Completed. • Completed – all Members inducted in May 2003 following District elections. • Additional part-time resources approved. • Standards Committee now establishing itself as a visible presence following the issue of local determination Regulations. 	<p>HIGH</p> <p>HIGH</p> <p>LOW</p> <p>MEDIUM</p>	Monitoring Officer (all)
	Issue: The Constitution			
13.	<p>Contents: Ensure that the constitution is complete. The following items will need to be included:</p> <ul style="list-style-type: none"> ▪ Details of Members of the various Committees and bodies ▪ Rules governing the conduct and proceedings of Policy Committees, Standards Committee and Joint Arrangements ▪ Scheme of Delegations ▪ Code of Conduct for Employees (when published) ▪ Members' Code of Conduct ▪ Description of the Members' Register of Interests and procedures for publicising, maintaining and updating the register ▪ Protocol for Officer/Member relations ▪ Rules governing the recruitment, appointment, dismissal and disciplinary action for Officers ▪ Rules and procedures in respect of legal proceedings 	<ul style="list-style-type: none"> • Completed. • Completed. • To be linked with the review under 2. • Issued July 1999 – currently under revision. • Completed. • Completed. • Protocol prepared and currently the subject of consultation. • Completed. • Completed. 	HIGH	Chief Executive (all)

<ul style="list-style-type: none"> ▪ Protocol on monitoring and reviewing the constitution ▪ Update the details of the Members' scheme of allowances (when applicable) <p>Supporting actions</p> <ul style="list-style-type: none"> ▪ Consult with staff and Members and make any minor amendments to the constitution that would smooth the working of the Council ▪ Review contents in the light of CIPFA/SOLACE Corporate Governance Guidance ▪ Publicise and promote the constitution amongst Members, Employees and the wider community 	<ul style="list-style-type: none"> • Completed. • Completed. • Tidying exercise currently undertaken and minor amendments made to update and clarify issues. • To be undertaken in conjunction with Corporate Improvement Group. • Updated Constitution to be circulated to all Members, placed on the Council's website and the Intranet public folders. 	
Issue: General Matters		
<p>General:</p> <p>14. Ensure that Members and Officers have the necessary knowledge and skills to enable them to carry out their (new) roles effectively</p>	<p>Members provided with induction training and structured training programme to be developed to meet their training needs. Officer training requirements are identified and met through the PDR process.</p> <p>Housing and Community Services Committee have held Meetings at the Rosliston Forestry Centre. Working Panels have also met at the Sharpe's Pottery Visitor Centre.</p> <p>Local Strategic Partnership Shadow Board has been constituted and inaugural meeting to be held in October.</p>	<p>HIGH</p>
<p>15. Investigate the feasibility of taking meetings out into the community</p>	<p>Members provided with induction training and structured training programme to be developed to meet their training needs. Officer training requirements are identified and met through the PDR process.</p> <p>Housing and Community Services Committee have held Meetings at the Rosliston Forestry Centre. Working Panels have also met at the Sharpe's Pottery Visitor Centre.</p> <p>Local Strategic Partnership Shadow Board has been constituted and inaugural meeting to be held in October.</p>	<p>LOW</p>
<p>16. Review how the Council can better communicate and engage with the wider community, particularly hard to reach groups and the disaffected.</p>	<p>Members provided with induction training and structured training programme to be developed to meet their training needs. Officer training requirements are identified and met through the PDR process.</p> <p>Housing and Community Services Committee have held Meetings at the Rosliston Forestry Centre. Working Panels have also met at the Sharpe's Pottery Visitor Centre.</p> <p>Local Strategic Partnership Shadow Board has been constituted and inaugural meeting to be held in October.</p>	<p>MEDIUM</p>