

Local Members Interest
N/A

Audit and Standards Committee - Tuesday 14 December 2021

Review of the Constitution

Recommendations

I recommend that the Committee:

- a. approves the review of the Staffordshire County Council constitution; and
- b. confirms membership of a working group where suggested amendments to the Constitution will be discussed and shaped; and
- c. confirms that all members of the council be provided with the opportunity to raise suggested amendments for consideration by that working group; and
- d. note that the draft revised constitution will be brought back for committee consideration and approval prior to being presented to Council

Report of the Director for Corporate Services

Report

Background

1. The governance of Staffordshire County Council is set out in its Constitution, including Schemes of Delegation and Appendix documents. By its nature, the Constitution needs to reflect the full breadth and complexity of Staffordshire County Council's governance. However, this needs to be done in a way that is transparent and as easy to understand as possible.
2. The content of the Constitution is regularly updated in response to circumstances, for example if a new Act of Parliament needs to be reflected within the county council's governance. As such, updates tend to focus on specific sections or paragraphs.
3. There is added value to be gained by periodically reviewing the Constitution as a whole in terms of its structure, language and clarity.

4. Including its appendices, the Constitution is over 350 pages in total, but not all of this is within scope for this review. Not included within this work are the sections on Financial Procedure Rules, Procurement Regulations, and sections on Human Resources in respect of officers. This is because these sections have already been, or are being, updated and brought through the governance process separately.

Review of Constitution

5. Officers have begun this work, led by Member and Democratic Services, but it is important that members are able to make meaningful input. Cabinet Members will be engaged to set the context for the next steps of the work and take initial views on whether any areas of the document may need greater focus for revisions.
6. To then take this further, Audit and Standards Committee is the natural place to lead a member working group to be established. Volunteers have been sought from the Committee to attend a half-day session in January 2022, to consider officer and wider member views on possible areas for change.
7. To gain that perspective the constitution will be made available to all members and to the officer Senior Leadership Team to allow wider thoughts which can be fed into the session.
8. The availability of the constitution to members to comment in advance will assist in enabling there to be a focussed approach to the working group meeting.
9. Following the working group meeting, a report will be developed to present the recommended changes to Audit and Standards Committee meeting on 22 February 2022. If these are approved, they will be presented to County Council at its meeting on 17 March 2022.

Equalities Implications

Review of wording within the Constitution allows for update to gendered language, for better inclusivity.

Legal Implications

The review will consider any additional changes needed, and will ensure that the Constitution remains legally compliant.

Resource and Value for Money Implications

There are no specific resource or value for money implications in reviewing the constitution.

Risk Implications

It is compatible with good risk management to periodically review governance documents.

Climate Change Implications

None

List of Background Documents/Appendices:

None

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