

**Wiltshire Council**

**Full Council**

**21 May 2019**

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## **Proposed Changes to the Constitution**

### **Summary**

This report sets out proposed changes to Part 10 of the Constitution.

### **Proposal**

**That Full Council approve the proposed changes to Part 10 of the Constitution**

### **Reason for Proposal**

To ensure the council's constitution is up to date, clear and effective.

**Ian Gibbons, Director of Legal, Electoral and Registration Services**

## **Proposed Changes to the Constitution**

### **Purpose of Report**

1. This report asks Council to consider recommendations of the Standards Committee in relation to the following:
  - Part 10 of the Constitution: Contract and Procurement Regulations

### **Background**

2. The Standards Committee has responsibility for oversight of the Council's constitution. It has established a cross party working group, known as the Constitution Focus Group, to advise and assist in carrying out this function.
3. The Focus Group met on 10 April 2019 to review sections of the constitution, including those as detailed in paragraph 1.
4. The Standards Committee considered those recommendations on 1 May 2019.
5. The relevant minutes of the Standards Committee and the Focus Group can be found at **Appendix 1**.

### **Main Considerations**

#### Part 10 of the Constitution

6. The contract and procurement regulations were last reviewed and updated at Full Council on 12 July 2016. This had involved the transfer of more of the technical information into online manuals for council officers as it was considered an unnecessary level of detail for a high level constitutional document, whilst retaining the underlying core principles and rules.
7. The Focus Group was provided with an updated version of the contract and procurement regulations, which sought to further simplify and clarify the processes to be followed, correcting out of date information, and setting out more clearly the responsibilities of certain roles and the working practices that should be followed. For example, clarifying the role of the Head of Strategic Procurement in place of the former Procurement Board. Details were sought regarding extraordinary contract exemptions.
8. The Standards Committee agreed that the changes proposed to be appropriate and necessary and recommended Council adopt the changes.
9. A table setting out details of the changes and the revised version of the document is included at **Appendix 2**. The existing protocol is included at **Appendix 3**.

### **Safeguarding Implications**

10. There are no safeguarding issues arising from this report.

### **Equalities Impact of the Proposal**

11. There are no equalities impacts arising from this report.

### **Risk assessment**

12. Implementation of these changes will strengthen the Council's corporate governance, including its risk management arrangements.

### **Financial Implications**

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

### **Legal Implications**

14. The recommendations in this report are consistent with the council's duties under relevant legislation.

### **Public Health Impact of the Proposals**

15. There are no public health impacts arising from this report.

### **Environmental Impact of the Proposals**

16. There are no environmental impacts arising from this report.

### **Proposal**

17. **To recommend Full Council approve the revised Contract and Procurement Regulations at Part 10 of the Constitution.**

**Ian Gibbons, Director, Legal, Electoral and Registration Services (and Monitoring Officer)**

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### **Background Papers**

[17 April 2019 Audit Committee](#)

### **Appendices**

Appendix 1 - Minutes extract of the Constitution Focus Group, 10 April 2019 and Minutes of the Standards Committee 1 May 2019

Appendix 2 - Schedule of Changes and Revised Part 10

Appendix 3 - Existing Part 10