

Wiltshire Council

Standards Committee

17 January 2018

Review of the Constitution

Purpose

1. To approve an initial work programme for the Constitution Focus Group, and to be advised of updates to the Constitution by the Monitoring Officer under his delegated powers.

Background

2. Under paragraph 2.5 of Part 3B of the Constitution the Standards Committee has oversight of the Wiltshire Council Constitution.
3. At its meeting on 7 June 2017 the Standards Committee established the Constitution Focus Group as a cross-party forum to review the effectiveness of the Constitution and advise and assist the Committee in formulating any recommendations to Full Council for consideration. Membership includes representatives from each political group, a member of the Overview and Scrutiny Management Committee, a Member of the Audit Committee, and the Chairman of the Standards Committee.
4. Under Article 15.3 of Part 2 of the Constitution the Monitoring Officer has delegated authority to amend the constitution to reflect decisions of Full Council, changes in the law, to correct errors and to clarify ambiguities, where to do so does not alter (but gives further effect to) the executive arrangements or the principles enshrined in the Constitution.

Main Considerations

Constitution Focus Group

5. The confirmed membership of the Focus Group is as follows:
 - Conservative Group: Cllr Richard Clewer
 - Liberal Democrat Group: Cllr Ian Thorn
 - Independent Group: To be advised
 - Labour Group: To be advised
 - Scrutiny Representative: Cllr Jon Hubbard
 - Audit Representative: Cllr Richard Britton
 - Standards Chairman: Cllr Paul Oatway QPM
6. Initial dates have been scheduled for 2018 to lead into meetings of the Standards Committee as follows:
 - 1 March 2018 (for April Standards Committee)

- 29 March 2018 (for April Standards Committee)
- 5 June 2018 (for June Standards Committee)
- 5 September 2018 (for September Standards Committee)
- 4 December 2018 (for January Standards Committee)

Further meetings will be arranged if required.

7. Initial items for consideration by the Focus Group are suggested as follows:

- Protocol 1 - Councillor/Officer Relations (Appendix 1 - Support and Facilities Provided to Councillors)
- Part 11 - Roles and Responsibilities of Councillors
- Part 3 and Part 8 – Arrangements for scrutiny of officer decisions
- Protocol 3 - Guidance to Members on Outside Bodies
- Protocol 8 - Partnership Protocol
- Protocol 9 - Monitoring Officer

Other items will be added as required by the Monitoring Officer, Constitution Focus Group or Standards Committee.

Monitoring Officer Updates

8. The Monitoring Officer has delegated authority to amend the Constitution within the terms of the delegation set out in paragraph 4 above.
9. The Monitoring Officer is amending the constitution to reflect recent decisions of the council, including in particular changes arising from the senior management restructure and the recording of votes at meetings of Full Council. Any errors, formatting or necessary clarification will be picked up as part of the ongoing review work by the Monitoring Officer and amended within the scope of his delegation. Otherwise any proposed changes will be referred to the Constitution Focus Group and then on to the Standards Committee for approval and recommendation to Full Council.

Conclusion

10. The Standards Committee is therefore asked to:

- a) Approve the proposed work programme for the Constitution Focus Group, together with any further items the Committee may wish to include; and,
- b) To note the work that is underway in updating the Constitution under the Monitoring Officer's delegated powers.

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Background Papers - [Wiltshire Council Constitution](#)