

EAST HERTS COUNCIL

COMMITTEE : AUDIT AND GOVERNANCE 21 SEPTEMBER 2016

REPORT BY: CHIEF EXECUTIVE

THE COUNCIL'S CONSTITUTION

WARD(S) AFFECTED: NONE

---

**Purpose/Summary of Report**

- The Chief Executive presented a report to full council on 18 May 2016. This recommended significant changes to the current constitution document.
- Full Council approved the recommendations and in addition approved a further related resolution.
- This resolution provides: the Audit and Governance Committee be requested to carry out a further review of the Constitution and report back to a future meeting on a document that is both up to date and easy to read.
- This report sets out a process for this further review

---

**RECOMMENDATIONS FOR AUDIT AND GOVERNANCE**

- |            |  |
|------------|--|
| <b>(A)</b> | <b>The committee authorises the setting up of a constitutional working group (CWG) of Members to carry out the review;</b>   |
| <b>(B)</b> | <b>The Leader of the Council in consultation with the Chairman of Audit and Governance Committee nominate Members of the CWG from Members of this Committee and one Member from Corporate Business Scrutiny Committee.</b> |
| <b>(C)</b> | <b>The CWG submit an interim review of its recommendations on 25 January 2017 and its final review on 22 March 2017 for approval by Council on 10 May 2017.</b>  |

## 1.0 Background

Members at full Council on 18 May 2016 requested that the Council Constitution is refashioned into an accessible document which enables residents to understand how the Council works and how they can become involved in the democratic process.

This is an issue that has been considered recently by several local authorities. There is an evolving body of work that seeks to find solutions to securing a more user friendly constitution document.

The common objective in these reviews has been to redraft the document in a clearer easily understood form which sets out the text in plain unambiguous English.

## 2.0 Report

It is proposed the working group will meet on up to 4 occasions between September 2016 and early January 2017.

The Chief Executive will nominate a lead officer to work with the members of the CWG and specifically to provide members with

- an initial dossier of relevant best practice guidance and case studies of similar reviews conducted by other local authorities.
- The legal and procedural issues which will influence the process
- A summary by heads of service setting out how information in the current Constitution on their service areas can be presented in a way that meets the objectives of the Council
- An outline work plan that members can consider with proposals to engage members of the Council and the community in the process.

The first session will structure the review: thematic matters to be included /principles to be followed/key priority areas of the Constitution to be changed.

The further sessions will, subject to the member's discretion, focus on the Council objectives in the review in relation to:

- Arrangements for council meetings and how the Constitution can better set out in a simpler straightforward way: how meetings are conducted and decisions are reached and ways in which the public can better understand how to engage in the process.
- The system of Executive decision making and how the Constitution can better set this out so that the implemented process provides the public with the notice of such decisions in as clear a way as possible.
- The arrangements for delivery of the Scrutiny function as set out in the current constitution and how, if possible, this can be improved taking into account the objectives of the review.
- The process for maintenance of high standards in relation to the Code of Conduct for Members and the procedural arrangements under which the Standards Sub Committee exercises their statutory functions.
- The rules governing finance, procedural, contractual and legal matters as set out in the current constitution and how the text can be better presented in order to communicate the broad intention of the provisions in a more straightforward way.
- Such other matters that the members of the review may consider will facilitate the preparation of a comprehensive review.

### 3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

#### Background Papers - None

Contact Member: Mark Pope  
[mark.pope@eastherts.gov.uk](mailto:mark.pope@eastherts.gov.uk)

Contact Officer: Liz Watts - Chief Executive  
[liz.watts@eastherts.gov.uk](mailto:liz.watts@eastherts.gov.uk)

Report Author: Kevin Williams-Acting Head of Legal and Democratic Services  
[kevin.williams@eastherts.gov.uk](mailto:kevin.williams@eastherts.gov.uk)