

<b>DECISION-MAKER:</b>	<b>GOVERNANCE COMMITTEE COUNCIL</b>		
<b>SUBJECT:</b>	<b>ANNUAL REVIEW OF THE CONSTITUTION</b>		
<b>DATE OF DECISION:</b>	<b>23<sup>RD</sup> APRIL 2018 (GOVERNANCE COMMITTEE) 16<sup>TH</sup> MAY 2018 (COUNCIL)</b>		
<b>REPORT OF:</b>	<b>SERVICE DIRECTOR: LEGAL &amp; GOVERNANCE</b>		
<b><u>CONTACT DETAILS</u></b>			
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<b>STATEMENT OF CONFIDENTIALITY</b>			
None			
<b>BRIEF SUMMARY</b>			
This report sets out the annual review of the Constitution. This will be considered and initially discussed by Governance Committee on 23rd April 2018. The recommendations to both the Governance Committee and Council are included below.			
As ever the Constitution is a document that changes regularly and therefore further revisions may be proposed prior to or at Council.			
<b>RECOMMENDATIONS:</b>			
<b>Governance Committee</b>			
	(i)	To consider and recommend the changes to the Constitution to Council for adoption.	
<b>Council</b>			
	(i)	to agree the changes to the Constitution and associated arrangements as set out in this report;	
	(ii)	to authorise the Service Director: Legal & Governance to finalise the arrangements as approved by Full Council and make any further consequential or minor changes arising from the decision of Council	
	(iii)	to approve the City Council's Constitution, as amended, including the Officer Scheme of Delegation, for the municipal year 2018/19	
<b>REASONS FOR REPORT RECOMMENDATIONS</b>			
1.	It is appropriate as a core tenet of good governance for the Council to keep its Constitution under regular review and to amend it, both to reflect experience and changing circumstances.		
<b>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</b>			
2.	The Council has previously resolved to review its Constitution annually. Therefore, it is appropriate that this report is considered by Members. There are a range of recommendations set out within the report, none of which are		

	substantial changes. Members have a range of options about various changes not least of which is to amend or reject some or all of them.
<b>DETAIL (Including consultation carried out)</b>	
<u>Governance Committee - Employment matters</u>	
3.	Since last July all matters relating to hearings and determination of any employee grievance or appeal under the Council's disciplinary, grievance, dismissal and other employee relations procedure are delegated to Directors to determine. This accords with national HR good practice and has reduced timelines.
4.	Authority to dismiss is currently set out in the Scheme of Delegation and there is no proposal to amend that. However, it is proposed that all appeals against dismissal will be heard by a member of the Council's Management Team rather than the small Senior Leadership Team to simply spread the workload, with appropriate advice and support from Human Resources and Legal Services. This will include appeals against the following dismissals:
	<ul style="list-style-type: none"> <li>• Disciplinary</li> <li>• Ill-Health</li> <li>• Redundancy</li> <li>• Capability</li> <li>• Probationary</li> <li>• SOSR</li> </ul>
5.	School Transport and associated appeals will continue to be heard by a three-person panel, comprising senior officers, chaired by the Service Director: Children's and Families. Grievances will be heard in accordance with the current procedure and the final step will be heard by Service Lead, Service Director or CMT member as appropriate.
<u>Scheme of Delegation to Officers</u>	
6.	This has been updated to reflect revised job titles and other minor matters, remove duplication and to include delegations required to give effect to the working of the Joint Commissioning Board arrangements with the Clinical Commissioning Group and NHS England as previously approved by Cabinet, which has been operating in pilot form while arrangements bed in; there are no other substantive changes.
<u>Procedure Rules</u>	
7.	Minor changes have been included within Terms of Reference for the Executive and Executive Members, Executive Procedure Rules, Key Decision thresholds, Access To Information Procedure Rules etc in order to prepare for decision making and governance around the Council's proposed Latco and in order to move from pilot to final arrangements for the Joint Commissioning Board for Health.
<b>RESOURCE IMPLICATIONS</b>	
<u>Capital/Revenue</u>	
8.	None.

<b><u>Property/Other</u></b>	
9.	None.
<b>LEGAL IMPLICATIONS</b>	
<b><u>Statutory power to undertake proposals in the report:</u></b>	
10.	The Executive Arrangements and Constitution are required under the Local Government Act 2000 (as amended) and the Localism Act 2011.
<b><u>Other Legal Implications:</u></b>	
11.	None.
<b>RISK MANAGEMENT IMPLICATIONS</b>	
12.	None
<b>POLICY FRAMEWORK IMPLICATIONS</b>	
13.	None.
<b>KEY DECISION?</b>	No
<b>WARDS/COMMUNITIES AFFECTED:</b>	None
<b><u>SUPPORTING DOCUMENTATION</u></b>	
<b>Appendices</b>	
1.	Draft revised Constitution – online only
<b>Documents In Members' Rooms</b>	
1.	None
<b>Equality Impact Assessment</b>	
<b>Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.</b>	No
<b>Data Protection Impact Assessment</b>	
<b>Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.</b>	No
<b>Other Background Documents</b>	
<b>Other Background documents available for inspection at:</b>	
<b>Title of Background Paper(s)</b>	<b>Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)</b>
1.	None