

# APPENDIX B

## Constitution Review 2017 18 Previously approved at Full Council since December 2016

No.	Item	Date approved by Full Council
1.	<p><b><u>Part 1 : Summary</u></b> None</p>	
2.	<p><b><u>Part 2 : Articles</u></b></p>	
3.	<p><u>Senior Management Restructure</u></p> <p>To approve the consequential changes to the Constitution listed at Appendix A which are as a result of the recent Senior Management Restructure.</p>	11 October 2017
4.	<p><u>Corporate Structural Realignment &amp; Associated Implications</u></p> <p>Following approval of the Chief Executive's Corporate Structural Realignment &amp; Associated Implications report by Full Council on 12 December 2017, the Monitoring Officer exercised his delegation to make minor procedural and operational changes to the Constitution in respect of amendments to Officer designations and responsibilities. These were reported to the Governance Committee on 6 February 2018.</p>	12 Dec 2017
5.	<p><b><u>Part 3 : Responsibility for Functions</u></b></p>	
6.	<p><u>Disciplinary and Dismissal Procedures for Statutory Officers</u></p> <p>(1) the Policy, Finance and Administration Committee be appointed as an Investigating and Disciplinary Committee which is politically balanced with no less than 5 Members which is set out in appendix C. Appendix C to be amended to include the Section 151(Chief Finance Officer) and the Monitoring Officer;</p> <p>(2) the terms of reference of the Appeals Committee be amended as set out in Appendix D.</p>	11 October 2017
7.	<p><u>Rural, Economic and Environmental Affairs Committee</u></p> <p>(a) the Constitution set the name of this Committee as Melton Economic and Environmental Affairs Committee;</p> <p>(b) To consider amending that the Terms of Reference of the policy committees as follows:-</p> <p>Policy, Finance and Administration Committee have included</p>	11 October 2017

	<p>new delegations as follows:-</p> <p>To deal with all responsibilities within the remit of this Committee in accordance with the best interests of all local communities, including rural.</p> <p>Community and Social Affairs Committee and those of this Committee as retitled be amended as follows: -</p> <p>To deal with all responsibilities within the remit of this Committee in accordance with the best interests of all local communities, including rural.</p>	
8.	<p><u>Part 3 – Terms of Reference of Policy, Finance and Administration</u></p> <p>To amend the existing terms of reference to include new paragraphs 14 -18 set out at Appendix D which deal with disciplinary matters relating to the Council’s statutory officers.</p>	12 Dec 2017
9.	<p><u>Part 3 – Terms of Reference of the Appeals Committee</u></p> <p>To amend the existing terms of reference of the Appeals Committee to amend paragraph 2 to read as follows:</p> <p>“To determine any appeals in respect of staff matters as detailed and provided for in the Council’s human resources policies and procedures including appeals against decisions of the Policy, Finance and Administration Committee to take action short of dismissal with respect to the Council’s Statutory Officers”</p>	12 Dec 2017
10.	<p><u>Director Recruitment Update and Appointment of Recruitment Committee</u></p> <p>A politically-balanced 7 member Recruitment Committee be established to oversee the recruitment process for the two Director roles, in line with the attached terms of reference (Appendix A) and as set out in the exempt Appendix B. The Recruitment Committee to be authorised to make an employment offer as appropriate. The Constitution be updated accordingly;</p> <p>To delegate authority to the Chief Executive to make amendments to the appointments in accordance with the wishes of group leaders.</p>	7 Feb 2018
11.	<p><u>Part 3 – Terms of Reference of Policy, Finance and Administration</u></p> <p>The Monitoring Officer exercised his delegation to make a</p>	27 Feb 2018

	<p>minor procedural and operational change to the Constitution in respect of an amendment to the existing Terms of Reference to the Policy, Finance &amp; Administration Committee to remove the words in brackets being '(5 Members, politically balanced)' at item 14 to align with what had been previously approved by Full Council on 12 December 2017. This change to be reported to the Governance Committee on 27 March 2018.</p>	
12.	<u>Part 3 : Delegations to Officers</u>	
13.	<p><u>Senior Management Restructure</u></p> <p>To approve the consequential changes to the Constitution listed at Appendix A which are as a result of the recent Senior Management Restructure.</p>	11 October 2017
14.	<p><u>Corporate Structural Realignment &amp; Associated Implications</u></p> <p>Following approval of the Chief Executive's Corporate Structural Realignment &amp; Associated Implications report by Full Council on 12 December 2017, the Monitoring Officer exercised his delegation to make minor procedural and operational changes to the Constitution in respect of amendments to Officer designations and responsibilities. These were reported to the Governance Committee on 6 February 2018.</p>	12 Dec 2017
15.	<p><u>Part 3 – Scheme of Delegations to Officers – Head of Communities and Neighbourhoods</u></p> <p>Following the departure of the Head of Communities and Neighbourhoods and the termination of the role in the Council's management structure on 11 February 2018, the Scheme of Delegations to Officers be amended as set out in tracked changes at Appendix C.</p>	22 Feb 2018
16.	<p><u>Part 3 – Scheme of Delegations to Officers – Authorisation to act</u></p> <p>The Officer Delegations be amended to state that the Director for Corporate Services is able to deputise and act for the Chief Executive and the Deputy Chief Executive.</p>	22 Feb 2018
17.	<p><u>Part 3 – Scheme of Delegations to Officers – Debt Recovery</u></p> <p>The Officer Delegations in respect of debt recovery be amended due to a change in policy for housing benefit overpayment. There is an addition to the existing delegation and a new delegation included as follows, changes shown in</p>	22 Feb 2018

	<p>red :-</p> <p>'To administer, formulate and amend the Council's procedures to deal with debt recovery and Housing benefit overpayments and to take any action including the instigation of legal proceedings and the authorisation of officers to appear in court in connection therewith.</p> <p>Any write off of Housing Benefit overpayments that are still within the Housing Benefit system will be dealt with in line with the Housing benefit overpayment policy'</p>	
18.	<p><u>Waste Management – New Officer Delegation to Assistant Director of Planning &amp; Regulatory Services</u></p> <p>The Committee delegates to the Assistant Director of Strategic Planning &amp; Regulatory Services in consultation with the Chair of the Melton Economic &amp; Environmental Affairs Committee (MEEA), authority to make relevant changes to the method of operational delivery within the waste collection and street cleaning contract where there is no impact on service delivery to the end user and where financial savings can be made. and recommends to Full Council that the Scheme of Delegation to Officers in the Constitution be amended and adopted accordingly.</p>	22 Feb 2018
19.	<b><u>Part 4 : Rules of Procedure</u></b>	
20.	<p><u>Part 4 – Rules of Procedure</u></p> <p><u>Procedure Rule 22.2 – Public Speaking at Planning Committee</u></p> <p>To approve the tracked changed amendments to Part 4 (Appendix A), Procedure Rule 22.2 relating to public speaking at the Planning Committee</p>	23 Feb 2017
21.	<p><u>Part 4 – Rules of Procedure</u></p> <p><u>Substitute Policy for Committees and Sub Committees</u></p> <p>To approve a slightly updated version of the Substitute Policy which amends the example Attendance Register to reflect current Members</p>	23 Feb 2017
22.	<p><u>Senior Management Restructure</u></p> <p>To approve the consequential changes to the Constitution listed at Appendix A which are as a result of the recent Senior Management Restructure.</p>	11 October 2017
23.	<p><u>Part 4 - Contract Procedure Rules</u></p> <p>To approve 3 new appendices to the Contract Procedure Rules as detailed in paragraph 3.4 of the report :-</p>	12 Dec 2017

	<ul style="list-style-type: none"> <li>• Appendix A – Approval for the use of a Framework Agreement</li> <li>• Appendix B – Approval for Contract Award</li> <li>• Appendix C – Approval to Extend a Contract</li> </ul>	
24.	<p><u>Part 4 - Financial Procedure Rules</u></p> <p>To approve the following 3 new paragraphs at Section 3 of the Financial Procedure Rules as detailed in paragraph 3.5 of the report :-</p> <p>Section 3 – Financial Systems and Procedures</p> <p>2. Income and Expenditure Key Controls</p> <p>2.2(k) - set up and operation of a PayPal or World Pay account for the collection of income from specific website transactions within services shall require the approval of the Corporate Director, who shall establish appropriate procedures for their operation. Where applicable, the Corporate Director should nominate a separate PayPal administrator and certifying officer whose responsibility will entail reconciling the income received and charges levied via the PayPal account to amounts due and to the Council's financial system.</p> <p>Responsibilities of Corporate Director</p> <p>2.7 - to authorise the setting up and controls to operate with regard to a PayPal account for the collection of income from specific website transactions within services as stated in the key controls above</p> <p>Responsibilities of Directors / Heads of Service</p> <p>2.20 - to request the Corporate Director to set up a PayPal account for their service if required and to nominate a PayPal administrator who will be responsible for the operation of the account in line with the required procedures.</p>	12 Dec 2017
25.	<p><u>Officer Employment Procedure Rules - Corporate Structural Realignment &amp; Associated Implications</u></p> <p>(9) an amendment to the Constitution in relation to Members appointments of deputy chief officers posts and related employment matters as per para 4.2 of the report be referred to the next meeting of Full Council to reflect the flatter management hierarchy approved in (1) above.</p>	12 Dec 2017

26.	<u>Corporate Structural Realignment &amp; Associated Implications</u>  Following approval of the Chief Executive's Corporate Structural Realignment & Associated Implications report by Full Council on 12 December 2017, the Monitoring Officer exercised his delegation to make minor procedural and operational changes to the Constitution in respect of amendments to Officer designations and responsibilities. These were reported to the Governance Committee on 6 February 2018.	12 Dec 2017
27.	<u>Contract Procedure Rules : EU Thresholds</u>  To note that the Director for Corporate Services had exercised her delegation for a legislative amendment to the EU thresholds within the Contract Procedure Rules as set out at Appendix A and which came into effect from 1 January 2018 and will apply for two years.	22 Feb 2018
28.	<u>Substitute Policy amendment – recommendation from Policy, Finance and Administration Committee</u>  The Substitute Policy be amended with the tracked changes as set out at Appendix B and Paragraph 5 on page 26 should be amended to read:-  Due to Members of the Policy, Finance and Administration Committee also having the function to sit as the Investigating and Disciplinary Committee, these Members may not substitute on the Appeals Committee when it is considering an appeal against a decision in which the Member took part.	22 Feb 2018
29.	<b><u>Part 5 : Codes and Protocols</u></b>	
30.	<u>Part 5 – Codes and Protocols</u> <u>Code of Conduct for Members and Officers dealing with Planning Matters</u>  To approve the tracked changed amendments to Part 5 (Appendix B), relating to the Code of Conduct for Members and Officers dealing with Planning Matters	23 Feb 2017
31.	<u>Members' Code of Conduct – Page 5</u> To update reference to the Equality Act to be 2010 and not 2006	23 Feb 2017
	<u>Planning matters</u>  Subject to an amendment to Appendix A, reflecting that the Chair of the Planning Committee may exercise their	26 April 2017

	discretion in relation to the requirement for Ward Councillors (or replacement Councillors) to give at least 24 hours notice before addressing the Planning Committee;	
	<u>Minutes Procedure</u> To approve the Minutes Procedure document and the tracked changes at Appendix B.	26 April 2017
	<u>Senior Management Restructure</u> To approve the consequential changes to the Constitution listed at Appendix A which are as a result of the recent Senior Management Restructure.	11 October 2017
	<u>Corporate Structural Realignment &amp; Associated Implications</u> Following approval of the Chief Executive's Corporate Structural Realignment & Associated Implications report by Full Council on 12 December 2017, the Monitoring Officer exercised his delegation to make minor procedural and operational changes to the Constitution in respect of amendments to Officer designations and responsibilities. These were reported to the Governance Committee on 6 February 2018.	12 Dec 2017
	<b><u>Part 6 : Members' Allowances Scheme</u></b>	
	<u>Member Allowances Scheme 2017 18</u> (1) the updated Member Allowances Scheme be approved to commence in the Civic Year 2017/18 as at Appendix A to the report; (2) the Member Allowances Scheme be included for consideration as part of the Revenue Budget Setting report; and (3) the Member Allowances Scheme contained at Part 6 of the Constitution be updated to reflect the scheme approved at this meeting with effect from the start of the new Civic Year 2017/18.	8 Feb 2017
	<u>Members' Allowances Scheme 2017 18</u> The revised Members' Allowances Scheme for 2017/18 be adopted and incorporated into the Council's Constitution.	19 July 2017
	<u>Senior Management Restructure</u>	11 October 2017

	To approve the consequential changes to the Constitution listed at Appendix A which are as a result of the recent Senior Management Restructure.	
	<u>Corporate Structural Realignment &amp; Associated Implications</u>  Following approval of the Chief Executive's Corporate Structural Realignment & Associated Implications report by Full Council on 12 December 2017, the Monitoring Officer exercised his delegation to make minor procedural and operational changes to the Constitution in respect of amendments to Officer designations and responsibilities. These were reported to the Governance Committee on 6 February 2018.	12 Dec 2017
	<u>Members' Allowances Scheme 2018 19 (part of Revenue Budget report)</u>  (8) To approve that the Member Allowances Scheme as set out at Appendix I to commence in the Civic Year 2018/19.	7 Feb 2018
		7 Feb 2018
	<b><u>Part 7 : Management Structure</u></b>	
	<u>Senior Management Restructure</u>  To approve the consequential changes to the Constitution listed at Appendix A which are as a result of the recent Senior Management Restructure.	11 October 2017
	<u>Corporate Structural Realignment &amp; Associated Implications</u>  Following approval of the Chief Executive's Corporate Structural Realignment & Associated Implications report by Full Council on 12 December 2017, the Monitoring Officer exercised his delegation to make minor procedural and operational changes to the Constitution in respect of the Management Structure at Part 7. This was reported to the Governance Committee on 6 February 2018.	12 Dec 2017
	<b><u>Part 8 : Performance Management</u></b> No change	-
	<b><u>Part 9 : Single Equality Scheme</u></b>	
	<u>Senior Management Restructure</u>	11 October 2017



	To approve the consequential changes to the Constitution listed at Appendix A which are as a result of the recent Senior Management Restructure.	
	<p><u>Corporate Structural Realignment &amp; Associated Implications</u></p> <p>Following approval of the Chief Executive's Corporate Structural Realignment &amp; Associated Implications report by Full Council on 12 December 2017, the Monitoring Officer exercised his delegation to make minor procedural and operational changes to the Constitution in respect of the documents at Part 10 in respect of amendments to Officer designations. These were reported to the Governance Committee on 6 February 2018.</p>	12 Dec 2017
	<b><u>Part 10 : Whistleblowing Policy etc</u></b>	
	<p><u>Anti Bribery Policy</u></p> <p><u>RESOLVED</u> that the Anti Bribery Policy at Appendix A be adopted and incorporation into this Council's Constitution.</p>	26 April 2017
	<p><u>Counter Fraud and Corruption Policy</u></p> <p>(1) the revised Counter Fraud and Corruption Policy be approved and the Constitution be updated accordingly with the revised document;</p>	19 July 2017
	<p><u>Senior Management Restructure</u></p> <p>To approve the consequential changes to the Constitution listed at Appendix A which are as a result of the recent Senior Management Restructure.</p>	11 October 2017
	<p><u>Corporate Structural Realignment &amp; Associated Implications</u></p> <p>Following approval of the Chief Executive's Corporate Structural Realignment &amp; Associated Implications report by Full Council on 12 December 2017, the Monitoring Officer exercised his delegation to make minor procedural and operational changes to the Constitution relating to the documents at Part 10 in respect of amendments to Officer designations. These were reported to the Governance Committee on 6 February 2018.</p>	12 Dec 2017