

Committee: Council

Date: 8 July 2015

Wards: All

Subject: Amendment to standing orders

Lead officers: Paul Evans, Assistant Director Corporate Governance, and Dean Shoesmith, Joint Head of Human Resources

Lead member: Councillor Mark Allison, Deputy Leader and Cabinet Member for Resources

Contact officer: Paul Evans, 0208 545 3338

Recommendations:

- A. That Council authorise the changes to the council's constitution (set out in paragraphs 2.4 and 2.5 below) in order to comply with the requirements of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.
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1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. To seek Council's authorisation of the changes to the constitution that are required in order to comply with the requirements of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.
- 1.2. Standards Committee and General Purposes Committee have discussed the matter at their meetings on 16 June and 25 June 2015 respectively and agreed to forward the proposed changes to Council.

2 DETAILS

- 2.1. The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 require councils to modify their standing orders to implement these Regulations no later than the first ordinary meeting of the council after the Regulations come into force on 11 May 2015.
- 2.2. The Regulations simplify and localise the disciplinary process for the Head of Paid Service, the monitoring officer and the chief finance officer.
- 2.3. The changes that are required to the council's standing orders are:
Constitution – Part 4H Officer Employment Procedure Rules
- 2.4. Paragraph 7.1, replace:
"No disciplinary action may be taken in respect of the Head of Paid Service, the Chief Finance Officer or the Monitoring Officer except in accordance with a recommendation in a report made by a Designated Independent Person i.e. as set out in the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2001"
- 2.5. With:
"No disciplinary action to dismiss may be taken in respect of the Head of Paid Service, the Chief Finance Officer or the Monitoring Officer except after

having taken into account any advice, views or recommendations of a Panel, the conclusions of any investigation and any recommendations of the relevant officer i.e. as set out in the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015”

3 ALTERNATIVE OPTIONS

- 3.1. Council is required to make these changes in order to comply with the requirements of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. None for the purposes of this report.

5 TIMETABLE

- 5.1. Council is required to make these constitutional changes no later than the first ordinary meeting of the council after the Regulations come into force on 11 May 2015.
- 5.2. A report was taken to Standards Committee on 16 June and General Purposes Committee on 25 June 2015.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. There are no significant financial implications.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. Council is required to make the changes to its standing orders as set out in the Regulations described above..

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. None for the purposes of this report.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1. None for the purposes of this report.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1. None for the purposes of this report.

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

- None

12 BACKGROUND PAPERS

- 12.1. None.