

BOROUGH OF KETTERING

Committee	RESEARCH & DEVELOPMENT	Item A1	Page 1 of 3
Report Originator	Helen Edwards Head of Democratic & Legal Services	<i>Fwd Plan Ref No:</i>	
Wards Affected	ALL	12 th June 2018	
Title	CONSTITUTION AMENDMENTS		

1. PURPOSE OF REPORT

To consult on the proposed amendments prior to recommendations to Executive

2. INFORMATION

2.1 The Council is required to adopt and maintain a Constitution. Changes to the Constitution need to be approved by full Council, and this report is therefore being brought to Research and Development Committee for comments before a report is taken to the Executive, before being referred to full Council for decision.

2.2 There are a number of sections of the Constitution which require updating, as follows. The changes are shown as track changes in **Appendix A**.

Part	Title	Change proposed
Part 1	Summary document	Change to update the date of next scheduled elections (although this may change again)
Part 2	Articles 3 & 12	Minor tidying of document / updates and/or correction of job titles (no substantive change)
Part 2	Article 15	Delegation to Head of Democratic & Legal Services to effect minor changes such as job titles, etc. without Council decision
C1-C20, C21	Responsibility for functions	Updating delegations to reflect current Council officer structure
D1 – D21	Council procedure rules	Amendment to 16.4 to reduce current speaking time of 8 minutes to 5 minutes for the mover of a motion, and 3 minutes for all other speeches. This is to improve democratic process to allow time for more councillors to speak, in a meeting

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		restricted to 2 hours.
G1 – G8	Budget & Policy Framework Rules	Minor tidying of document / correction of job titles (no substantive change)
R1 - R14	Staff Employment Procedure Rules	Updated to reflect legislation relating to statutory officers
S1 – S9	Whistleblowing Policy	Update to provide for concerns being raised by a wider group than employees
U1 – U3	Monitoring Officer Protocol	Amendments to reflect current process of handling complaints (no substantive change)

3. CONSULTATION AND CUSTOMER IMPACT

- 3.1 These proposed amendments have no significant customer impact. The amended Whistleblowing policy will provide clarity to customers and others about the whistleblowing policy, and the process for raising concerns. The current policy is too narrowly focussed, relating mainly to issues raised by employees. No consultation is required.

4. POLICY IMPLICATIONS

- 4.1 None

5. FINANCIAL RESOURCE IMPLICATIONS

- 5.1 None

6. HUMAN RESOURCE IMPLICATIONS

- 6.1 The proposed amendments to the Staff Employment Procedure Rules record the reduced protections for statutory officers (Head of Paid Service, Monitoring Officer and Responsible Finance Officer). This is not proposed as a result of a council decision, the Constitution is being amended to reflect the changes in the law that removed the requirement for a designated independent person (DIP) to be appointed to deal with disciplinary issues / dismissals of statutory officers. The relevant provision is the Local Authorities (Standing Orders) (England) (Amendment) regulations 2015 (SI 2015/881).

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7. LEGAL IMPLICATIONS

7.1 Section 37 of the Local Government Act 2000 requires the Council to adopt and maintain a Constitution. Agreeing the amendments/ updates to the Constitution will enable to Council to meet this legal obligation.

8. RECOMMENDATION

8.1 To recommend to the Executive that it approves the proposed amendments to the Constitution, and recommends them to full Council.

Background Papers: None
Title
Date
Contact Officer

Previous Minutes/Reports: None
Ref:
Date: