

DECISION-MAKER:	GOVERNANCE COMMITTEE AND COUNCIL		
SUBJECT:	REVISIONS TO THE CONSTITUTION – TRANSFORMATION PROJECTS		
DATE OF DECISION:	8 th FEBRUARY 2016 (GOVERNANCE COMMITTEE) 10 th FEBRUARY 2016 (COUNCIL)		
REPORT OF:	SERVICES DIRECTOR: LEGAL AND GOVERNANCE		
<u>CONTACT DETAILS</u>			
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STATEMENT OF CONFIDENTIALITY	
None	
BRIEF SUMMARY	
<p>The report details previously considered revisions to various elements of the Constitution as part of the Council’s significant Transformation agenda in order to enable early decision making which will permit quicker project implementation and realisation of financial savings. The matter was considered last cycle and deferred. Revisions have now been made following informal discussions with members. All proposals over £500,000 will be treated as Key Decisions and considered by Cabinet. No matters will require consideration by Council once the overall budget proposal has initially been considered and agreed.</p>	
RECOMMENDATIONS:	
GOVERNANCE COMMITTEE	
(i)	That Governance Committee considers the revisions to the Constitution as set out in this report and recommends to Council the following changes:
	<ul style="list-style-type: none"> • Revise section 5 of the Officer Scheme of Delegation (Transformation Implementation Director) stating “<i>The Transformation Implementation Director, following consultation with the Transformation Improvement Board, Chief Finance Officer and Head of Legal and Democratic Services, shall be empowered to take all decisions or actions necessary to develop, implement and deliver transformation projects approved by the Transformation Board up to a value of £5,000,000 including but not limited to incurring expenditure, structural re-organisations, service reorganisations and entering into contracts and partnership arrangements to deliver services as required together with all ancillary matters necessary to give effect to or conducive to the delivery of such projects. All proposals which are estimated to exceed £500,000 shall be considered by Cabinet. The £5,000,000 ceiling requiring</i>

		reference to full Council is waived for such proposals.”
		<ul style="list-style-type: none"> Amend the Budget and Policy Framework Procedure Rules at page 6 (section 5(b) to add “(iii) The Transformation Implementation Director, following consultation with Transformation Improvement Board and Chief Finance Officer, shall be entitled to vire across budget heads where each individual virement does not exceeds £5,000,000 for the purpose of delivering any transformation project
		<ul style="list-style-type: none"> Amend Financial Procedure Rules with an additional row in the tables at A12, B37 and B42 (HRA matters) stating “any amount not exceeding £5,000,000 relating to a transformation project approved as above can be vired / approved by the Transformation Implementation Director following consultation with the Transformation Improvement Board (including virement of expenditure and income budgets and acceptance of external funding).
COUNCIL		
	(i)	That Council approves the revisions to the Constitution as set out above.
REASONS FOR REPORT RECOMMENDATIONS		
1.	As set out in the summary above, time is of the essence in delivering any corporate transformation projects to capture such significant financial savings as have been broadly or specifically identified in the budget proposal previously agreed. By increasing the scheme of delegation to officers after consultation with Transformation Improvement Board more timely implementation will be achieved. Proposals will, of course, still be treated as Key Decisions where appropriate and considered by Cabinet where over £500,000.	
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED		
2.	To leave the Constitution as it stands. This would add delay in implementing significant transformation projects in that matters may have to be referred to full Council for decision due to the value involved. That may well require special meetings on an ad hoc basis as projects and proposals develop. That builds in inherent delay and inconvenience to members.	
DETAIL (Including consultation carried out)		
3.	As Members will recall this matter was considered last cycle and deferred at Council for further consultation between the Transformation Implementation Director and members. That has taken place and therefore the item is re-tabled for further consideration. The Council’s Transformation agenda and projects gather pace agility is needed to ensure delivery in as quick a manner as appropriate. This does not circumvent publicity or transparency as any proposed decisions will be published and the role of Overview and Scrutiny Committee will remain intact. The proposed changes aid that by quicker delivery, nothing more.	
4.	To assist delivery, prior to and/or following each Transformation Improvement Board, a working group standing meeting of officers to include finance, legal, HR and policy / strategy will meet to review projects and	

	identify those where there may be political sensitivities and identify consultation requirements with staff, service users, wider public along with any EIA / PIA implications and requirements that must be addressed before formal decisions taken.
5.	Formal sign off of any projects approved by the Transformation Implementation Director under the proposed delegations will be recorded with reasons with a report to Transformation Improvement Board (TIB) as necessary. For more operational matters, as now, a report by email containing the same level of information to meet the legal requirement to evidence reasons for decision under the current law on officer decision making will be compiled. There will be no sign off, whatever value, without discussion with and the agreement of the Leader of the Council (who may not always be present at TIB).
RESOURCE IMPLICATIONS	
<u>Capital/Revenue</u>	
6.	None
<u>Property/Other</u>	
7.	None
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
8.	S.111 Local Government Act 1972, Local Government Act 2000
<u>Other Legal Implications:</u>	
9.	None
POLICY FRAMEWORK IMPLICATIONS	
10.	None. All decisions must be made with Council agreed policy and budget.

KEY DECISION?	No	
WARDS/COMMUNITIES AFFECTED:	None	
<u>SUPPORTING DOCUMENTATION</u>		
Appendices		
1.	None	
Documents In Members' Rooms		
1.	None	
Equality Impact Assessment		
Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out?		No
Privacy Impact Assessment		
Do the implications/subject of the report require a Privacy Impact Assessment (PIA) to be carried out?		No
Other Background Documents		
Equality Impact Assessment and Other Background documents available for inspection at:		
Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)	
1.	None	