

DECISION-MAKER:	COUNCIL		
SUBJECT:	ANNUAL REVIEW OF THE CONSTITUTION		
DATE OF DECISION:	20 TH MAY 2020		
REPORT OF:	SERVICE DIRECTOR: LEGAL& BUSINESS OPERATIONS		
<u>CONTACT DETAILS</u>			
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STATEMENT OF CONFIDENTIALITY	
None	
BRIEF SUMMARY	
<p>This report sets out the annual review of the Constitution. In light of the timescales, the Leader of the Council and Chair of Governance Committee have agreed that the matter can be considered by Council without the need to convene a virtual Governance Committee.</p> <p>As ever, the Constitution is a document that changes regularly and, therefore, further revisions may be proposed prior to or at Council.</p>	
RECOMMENDATIONS:	
Council	
	(i) To agree the changes to the Constitution and associated arrangements as set out in this report;
	(ii) To authorise the Service Director: Legal & Business Operations to finalise the arrangements as approved by Full Council and make any further consequential or minor changes arising from the decision;
	(iii) To authorise the Service Director; Legal and Business Operations to convene a task and finish cross party working group after consultation with the Group Leaders to report back to Council in July 2020 with options regarding Members Questions at Council
	(iv) To approve the City Council's Constitution, as amended, including the Officer Scheme of Delegation, for the Municipal Year 2020-21.
REASONS FOR REPORT RECOMMENDATIONS	
1.	It is appropriate as a core tenant of good governance for the Council to keep its Constitution under regular review and to amend it, both to reflect experience and changing circumstances.
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED	
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.
DETAIL (Including consultation carried out)	
<u>Officer Scheme of Delegation</u>	
3.	Following the senior management restructure, the Officer Scheme of Delegation has been fully updated to reflect revised job titles and revised areas of responsibility.
4.	In addition, some new delegations have been added, in particular in the section for the Director of Quality & Integration. Some explicit delegations make the Director responsible for all procurement activities and matters in respect of health and care services procured and managed via the Integrated Commissioning Unit and changes to the delegations for the Head of Supplier Management are included to reflect proposed changes to Contract Procedure Rules, working practices and legislation.
5.	The proposed revised Officer Scheme of Delegation can be found at Appendix 1 (online only due to volume).
<u>Financial Procedure Rules</u>	
6.	The intention was to revise the Financial Procedure Rules but in light of revised priorities as a result of the pandemic, these will be considered later in the year.
<u>Contract Procedure Rules</u>	
7.	The amendments proposed to the current Contract Procedure Rules (CPRs) dated May 2019 intend to support the Council to achieve value for money for its goods, services and works through an appropriate and proportionate approach to procurement activity.
8.	The CPRs have not changed as a result of the UK leaving the EU on 31 st January 2020. Equally, it is not expected that there will be any significant changes to the UK's procurement approach in the short term and the CPRs will be revisited if and when any changes are decided upon.
9.	The principal changes are updates to the PCR threshold values to reflect the UK Official Journal of the European Union (OJEU) threshold values applicable between 1 st January 2020 and 31 st December 2021.
10.	Also a new rules within "Exemption" section (19) relating to children's placements and education funding to reflect acceptance that this spend should not be treated as non-compliant.
11.	The proposed revised Contract Procedure Rules can be found at Appendix 2.
<u>Council Procedure Rules</u>	
12.	Following discussion between Group Leaders, for clarity in paragraph 11.4(b) in relation to the asking of Urgent (and therefore previously untabled) Questions the following wording be added: "The Mayor must seek the advice of the Service Director: Legal & Business Operations" before deciding to permit the Question to be asked".

	In addition, Group Leaders have requested a small cross party working group be convened to consider the Members Questions at Council parameters and process given ongoing concerns. It is intended that the group reports back to Governance Committee then July Council with recommendations.
RESOURCE IMPLICATIONS	
<u>Capital/Revenue</u>	
13.	None.
<u>Property/Other</u>	
14.	None.
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
15.	The Executive Arrangements and Constitution are required under the Local Government Act 2000 (as amended) and the Localism Act 2011.
<u>Other Legal Implications:</u>	
16.	None.
RISK MANAGEMENT IMPLICATIONS	
17.	None.
POLICY FRAMEWORK IMPLICATIONS	
18.	None.

KEY DECISION?	No
WARDS/COMMUNITIES AFFECTED:	None
<u>SUPPORTING DOCUMENTATION</u>	
Appendices	
1.	Scheme of Delegation changes (published online with the agenda)
	Summary of Contract Procedure Rules revisions (published online with the agenda)

Documents In Members' Rooms

1.	Draft Revised Constitution
Equality Impact Assessment	
Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.	No
Data Protection Impact Assessment	
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.	No
Other Background Documents	
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