

For General Release

REPORT TO:	GENERAL PURPOSES AND AUDIT COMMITTEE 20 SEPTEMBER 2017
AGENDA ITEM NO:	8
SUBJECT:	MINOR AMENDMENTS TO THE CONSTITUTION
LEAD OFFICER:	JACQUELINE HARRIS-BAKER, DIRECTOR OF LAW AND MONITORING OFFICER
CABINET MEMBER:	COUNCILLOR SIMON HALL, CABINET MEMBER FOR FINANCE & TREASURY
WARDS:	ALL
CORPORATE PRIORITY/POLICY CONTEXT/AMBITIOUS FOR CROYDON: Article 15 of the Constitution provides that the Council shall monitor and review its operation to ensure that its aims and principles are given full effect. In that context the recommendations in this report are designed to further improve the efficiency of the Council's decision making processes.	
FINANCIAL IMPACT There are no financial implications arising from this report.	

1. RECOMMENDATIONS

To consider the proposals contained in this report and:

- 1.1 Approve the amendments to the Constitution detailed in sections 4 and 5 of this report and detailed more specifically in Appendix 1; and
- 1.2 Subject to the approval of the proposed change to the Health & Wellbeing Board membership, direct in accordance with the provisions of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 that the additional Member of the Health & Wellbeing Board specified in paragraph 4.1 of the report be a non-voting member.

2. EXECUTIVE SUMMARY

- 2.1 This report seeks approval to make three minor amendments to Part 4L of the Constitution, the Rules of Procedure of the Health and Wellbeing Board and one minor clarification regarding the Pension Committee.

3. BACKGROUND

- 3.1 At its meeting on 26 June 2017, the Council resolved to make a number of amendments to various elements of the Constitution, including the Responsibility for Functions and the Rules of Procedure of the Health and Wellbeing Board.

- 3.2 Following the June meeting of the Council, the most recent meeting of the Health and Wellbeing Board Executive Group has suggested that a small number of further amendments to this part of the Constitution be made.
- 3.3 Similarly, additional clarity is suggested regarding the election and appointment of some members of the Pension Committee.
- 3.4 Paragraph 2.3(4) of Part 3 of the Constitution permits the General Purposes and Audit Committee to make amendments to the Constitution on the recommendation of the Monitoring Officer as a matter of urgency. As the next meeting of the Health and Wellbeing Board takes place before the next meeting of the Council, which in conjunction with the meeting scheduled for October would represent one third of the Board's meetings this municipal year, this is being treated as an urgent matter. While the point of clarification on the Pension Committee can be dealt with under delegated powers, it is included in this report in the spirit of openness and transparency.

4 PROPOSED AMENDMENTS REGARDING THE HEALTH AND WELLBEING BOARD

- 4.1 It is proposed that part 4L of the Constitution be amended to:
- i) Place public questions at the Board on a Constitutional footing, providing clear and fair opportunities for public participation in the work of the Board;
 - ii) Ensure voluntary sector representation in the work of the Board by adding Croydon Voluntary Action as a non-voting Member; and
 - iii) Clarify that representatives from bodies and groups that are invited to attend the Board will also receive copies of the agenda as a matter of course.
- 4.2 The full wording of the proposed changes is attached at Appendix A to this report.
- 4.3 As a corollary of the proposed change to the membership of the Board, Article 8 of the Constitution and Part 3 (Responsibility for Functions) will also be updated to reflect this change.

5 PROPOSED AMENDMENT REGARDING THE PENSION BOARD

- 5.1 In Part 3 of the Constitution, Responsibility for Functions, paragraph 2.8 states that "*Staff side and Pensioners' side members are appointed on an annual basis following consultation with the Staff side and Pensioners of the Pension Fund*".
- 5.2 While this is technically correct, as all members of every non-executive committee are appointed at Annual Council every year, it does not explicitly reflect that the Pensioners' side appointments are made in accordance with the outcome of an election held amongst their members for a term of four years.
- 5.3 In order to make the distinction between the election of Pensioners' side members and their appointment to the committee at Annual Council each year

explicitly clear, it is proposed that the wording in paragraph 2.8 of Part 3 of the Constitution be amended to read as follows:

“Staff side and Pensioners’ side members are appointed on an annual basis following consultation with the Staff side and Pensioners of the Pension Fund. Pensioners’ side members are appointed in keeping with the outcome of an election by ballot of Pensioners of the Fund, normally for a term of four years”.

6. CONSULTATION

- 6.1 Before the Council is permitted to direct that certain non-councillor members of the Health and Wellbeing Board are to be non-voting, the Council is required by statute to consult the members of the Health and Wellbeing Board. Accordingly the Members of the Health and Wellbeing Board have been consulted on the proposed changes to its Membership and terms of reference.

CONTACT OFFICER: Jacqueline Harris-Baker, **Director of Law and Monitoring Officer.**

APPENDICES TO THIS REPORT

Appendix 1 – detailed changes to Part 4L of the Constitution

BACKGROUND DOCUMENTS: This report is not dependent upon any previously unpublished documents.