

London Borough of Hammersmith & Fulham

Report to: Full Council

Date: 20 October 2021

Subject: Review of the Constitution

Report of: The Leader of the Council - Councillor Stephen Cowan

Responsible Director: Rhian Davies, Monitoring Officer

Summary

This report asks Council to note updates to Contract Standing Orders and the Departmental Registers of Authorities.

Recommendations

1. That the Social Value updates to Contract Standing Orders detailed in the report be noted.
 2. That the updates to the Environment Register of Authorities detailed in Appendix 1 and the updated Children's Services Register of Authorities at Appendix 2 be noted.
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Wards Affected: None

Our Values	Summary of how this report aligns to the H&F Values
Taking pride in H&F	Ensuring a high standard of governance across the Council.

Financial Impact

The recommendations in this report have no direct financial implications.

Legal Implications

The Local Government Act 2000 requires the Council to have and maintain a Constitution. The Monitoring Officer is satisfied that the Council's Constitution continues to fulfil its stated purposes, as set out in Article 1 of the Constitution.

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Background Papers Used in Preparing This Report

The Council’s Constitution: www.lbhf.gov.uk/constitution

DETAILED ANALYSIS

Proposals and Analysis of Options

1. The Constitution sets out how the Council operates, how decisions are made and the procedures that are followed to ensure business is conducted in an efficient, transparent, and accountable manner.
2. The Monitoring Officer has a duty to keep the Constitution under review and has delegated authority to amend the Constitution where there has been a change in law, job title, structure, rearrangement of job responsibilities or for general administrative convenience. All extensive changes to the Constitution, however, must be approved by Full Council.

Reasons for Decision

3. The Council’s Monitoring Officer is required to review the Council’s Constitution each year to ensure that its aims and principles are given full effect in accordance with Article 15 of the Constitution.

PROPOSALS AND ISSUES

Updates to Contract Standing Orders

4. The following updates were approved by the Monitoring Officer and are being reported to Council for information and noting:
 - Job title change - Head of Law changed to Assistant Director, Legal Services
 - The Social Value section was amended to clarify that the Council's Social Value policy applies to all new contract awards.
5. The changes to the Social Value section of Contract Standing Orders (4.8) are shown below (removed words are shown with ~~strikethrough~~ and added words are underlined):-

4.8 Social Value: there is an obligation on all local authorities to consider social value during the letting of all service contracts. This is set out in the Public Services (Social Value) Act 2012. ~~It does not apply to contracts proposed to be called off a Framework.~~ The Council's policy on Social Value must be complied with ~~to ensure that the Act is complied with~~ at all times. The Social Value Policy applies to new contract awards (inclusive of direct awards), contract variations, framework agreements and contracts proposed to be called off a Framework (where permitted by the framework rules).

6. The complete Contract Standing Orders can be found on our website: https://www.lbhf.gov.uk/sites/default/files/section_attachments/contract_standing_orders.pdf

Updates to the Departmental Registers of Authorities

7. The Departmental Registers of Authorities are regularly updated to reflect changes in organisational structure, job titles, and any recent changes in legislation. The latest updates to the Environment and Children's Services registers are detailed in Appendices 1 and 2.

List of Appendices

- Appendix 1 – Updates to the Environment Register of Authorities
- Appendix 2 – Updated Children's Services Register of Authorities