

LONDON BOROUGH OF HAMMERSMITH & FULHAM

Report to: Full Council

Date: 18/01/2023

Subject: Review of the Constitution

Report of: The Leader of the Council

Report author: David Abbott, Head of Governance

Responsible Director: David Tatlow, Director of Corporate Resources and Monitoring Officer

SUMMARY

This report asks Council to note and approve updates to the Council's constitution.

RECOMMENDATIONS

1. That Full Council approve the revisions to the Constitution listed in the report.
 2. That Full Council approve the updates terms of reference for the North West London Joint Health Overview and Scrutiny Committee attached at Appendix 1.
 3. That Full Council note the amendment to the responsibilities of the Assistant Director, Legal Services.
-

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.

Alex Pygram, Head of Finance - signed on 6 January 2023

Legal Implications

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

The legal considerations related to the Local Government (Disqualification) Act 2022 are incorporated within the body of the report

Grant Deg, Assistant Director – Legal Services - signed on 6 January 2023

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. In-year amendments were approved by Council to the Scheme of Delegation to Officers to reflect recent changes in organisational structure, legislation updates and changes to the responsibilities of Chief Officers.
3. 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

4. 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.

General Updates and Review

5. The Monitoring Officer has updated the constitution to remove some duplicate information, rearranged job responsibilities and tweaked the document for general administrative convenience.

Updated Terms of Reference for the North West London Joint Health Overview and Scrutiny Committee

6. The North West London Joint Health Overview and Scrutiny Committee agreed an updated version of its terms of reference at a meeting on 14 September 2022. Each participating borough is required to adopt the updated terms of reference.

Amendment to Responsibilities of Assistant Director, Legal Services

7. In November 2022 the Monitoring Officer approved the following change to be made and reported to the following Council meeting. In Part 3 – Responsibility for Functions, Responsibilities of the Chief Executive and Chief Officers, under Assistant Director, Legal Services, delete the following: 10.1 (c) Settlements of over £185,000 require approval of the Chief Officer’s Employment Panel.

North West London Joint Health Overview and Scrutiny Committee Terms of Reference

Membership

One nominated voting member from each Council participating in the North West London Joint Health Overview and Scrutiny Committee plus one alternate member who can vote in the voting member's absence. In addition, one non-voting co-opted member of the London Borough of Richmond. The committee will require at least six voting members in attendance to be quorate. The North West London Joint Health Overview and Scrutiny Committee will elect its own Chair and Vice Chair. Elections will take place on an annual basis each May, or as soon as practical thereafter, to allow for any annual changes to the committee's membership.

Terms of Reference

1. To scrutinise the plans for meeting the health needs of the population and arranging for the provision of health services in North West London; in particular the implementation plans and actions by the North West Integrated Care System and their Integrated Care Board, focusing on aspects affecting the whole of North West London. Taking a wider view than might normally be taken by individual local authorities.
2. To review and scrutinise decisions made, or actions taken by North West London Integrated Care System, their Integrated Care Board and/or other NHS service providers, in relation to the plans for meeting the health needs of the population and arranging for the provision of health services in North West London, where appropriate.
3. To make recommendations to North West London Integrated Care System and its Integrated Care Board, NHS England, or any other appropriate outside body in relation to the plans for meeting the health needs of the population and arranging for the provision of health services in North West London; and to monitor the outcomes of these recommendations where appropriate.
4. To require the provision of information from, and attendance before the committee by, any such person or organisation under a statutory duty to comply with the scrutiny function of health services in North West London. Individual local authority members of the North West London Joint Health Overview and Scrutiny Committee will continue their own scrutiny of health services in, or affecting, their individual areas (including those under the for North West London).
5. Participation in the Joint Health Overview and Scrutiny Committee will not preclude any scrutiny or right of response by individual boroughs. In particular, and for the sake of clarity, this joint committee is not appointed for and nor does it have delegated to it any of the functions or powers of the local authorities, either individually or jointly, under Section 23 of the local authority

(Public Health, Health and Wellbeing Boards and Health Scrutiny)
Regulations 2013.

Duration

The Joint Health Overview and Scrutiny Committee will continue until all participating authorities decide otherwise and does not preclude individual authorities from leaving the Committee if they choose to do so. The Committee will keep under review whether it has fulfilled its remit and recommendations of the Committee will be reported to a Full Council meeting of each participating authority, at the earliest opportunity.