

LONDON BOROUGH OF HAMMERSMITH & FULHAM

Report to: Full Council

Date: 22/05/2024

Subject: Review of the Constitution

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

Report author: David Abbott, Head of Governance

Responsible Director: Grant Deg, Monitoring Officer

SUMMARY

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.

RECOMMENDATIONS

1. That Full Council approve the following changes to Lead Member roles:
 - a. Create a new Lead Member for Land Development as detailed in Appendix 1.
 - b. Create a new Lead Member for Asylum Seekers, Refugees, and Migrants as detailed in Appendix 1.
 - c. Amend the role profile for the Lead Member for Wellbeing and Early Access to Support as detailed in Appendix 1.
 - d. Delete the Lead Member for Youth Advancement role.
2. That Full Council approve the changes to the membership and terms of reference of the Pensions Fund Committee, Standards Committee, and Standards Committee Sub-Committees in Appendix 2.
3. That Full Council approve the changes to the Children's Services Register of Authorities detailed in Appendix 3.

Wards Affected: All

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 creation of two new lead members and the deletion of one will result in one additional Lead Member allowance of £3,439.

Alex Pygram, Head of Finance – Corporate Services, 14/05/2024

Verified by Andre Mark, Head of Finance – Strategic Planning and Investment, 14/05/2024

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.

Grant Deg, Assistant Director, Legal Services, 09/05/2024

Background Papers Used in Preparing This Report

None.

DETAILED ANALYSIS

Proposals and Analysis of Options

1. Each local authority is required to publish the arrangements it has made to discharge its functions in a 'constitution' prepared in accordance with Section 37 of the Local Government Act 2000. 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. Some of the content of the Constitution is required by law, the remainder is for the Council itself to determine.
2. The Constitution is reviewed at least annually to ensure it continues to promote timely, effective, transparent, and lawful decision making reflecting the arrangements Members have put in place for the running of the Council.
3. In-year amendments were approved by Council to the Scheme of Delegation to Officers to reflect recent changes in organisational structure and changes to the responsibilities of Chief Officers.
4. 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.

Changes to Lead Member Roles

5. The Administration has proposed two new Lead Member roles (Land Development and Asylum Seekers, Refugees, and Migrants) and to delete the role of Lead Member for Youth Advancement. Amendments to the role profile for the Lead Member for Wellbeing and Early Access to Support have been proposed to promote an enhanced focus on wellbeing in communication with adult residents and promote knowledge of and early access to support services within the borough. The role will now be reporting to the Cabinet Member for Civic Renewal. These changes are detailed in Appendix 1.

Committee Changes

6. The Standards Committees has 5 Councillors with 3 Independent Members on the Committees. It is proposed to increase the membership of the Standards Committee by 1 from 5 to 6 Councillors.
7. The Committee on Standards in Public Life's [report on local government ethical standards](#), was published on 21 January 2019. The report proposed a number of best practices and recommendations. In line with best practices, one of the three Independent Persons will act as the Chair of the Standards Committee and all Independent Persons will have a vote.
8. The proposed terms of reference for the Standards Committee and sub-committees are attached as Appendix 2. These sub-committees will support the complaints process.
9. The Chair of the Pension Board will be appointed as an observer to the Pension Fund Committee.

Updates to the Children's Services Register of Authority

10. The Children's Services Register of Authority has been updated to reflect changes in positions following restructures. Levels of financial sign off have also been reviewed for some posts based on business need and some have increased to allow officers to make more timely decisions that have a financial requirement for placements of children or for equipment. The updated register, with highlighted changes, can be found at Appendix 3.

Reasons for Decision

11. 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.

LIST OF APPENDICES

Appendix 1 – Changes to Lead Member roles

Appendix 2 – Committee Changes

Appendix 3 – Children's Services Register of Authority