

# LONDON BOROUGH OF HAMMERSMITH & FULHAM

**Report to:** Full Council

**Date:** 26/02/2025

**Subject:** Review of the Constitution

**Report of:** Councillor Stephen Cowan – The Leader of the Council

**Report author:** David Abbott, Head of Governance

**Responsible Director:** Grant Deg, Director for Legal Services and Monitoring Officer

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## SUMMARY

This report requests that Full Council approve changes to the following parts of the of the Councils Constitution; Contract Standing Orders, Financial Regulations and Registers of Authorities. The proposed changes reflect updates in legislation and organisational structure. The report also requests approval of appointments to committees and outside bodies.

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## RECOMMENDATIONS

1. That Full Council approves the updates to Contract Standing Orders detailed in the report and Appendix 1.
2. That Full Council approves the updates to the Financial Regulations detailed in the report and Appendix 2.
3. That Full Council approves the updates to the Registers of Authorities attached at Appendix 3.
4. That Full Council agrees the following committee appointments:
  - TBC – Health and Adult Social Care Policy and Accountability Committee
  - TBC – Climate Change and Ecology Policy and Accountability Committee
5. That Full Council agrees the following Outside Bodies appointments:
  - TBC - Sir William Powell Almshouse
  - TBC - The Lyric Theatre

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**Wards Affected:** All

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<b>Our Values</b>	<b>Summary of how this report aligns to the <a href="#">H&amp;F Corporate Plan</a> and the H&amp;F Values</b>
Doing things with local residents, not to them	Regular reviews of the constitution help to ensure 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, of which the Contract Standing Orders and Financial Regulations are part of. 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 appropriate decision maker is Full Council.

## Background Papers Used in Preparing This Report

The Council's Constitution: [www.lbhf.gov.uk/constitution](http://www.lbhf.gov.uk/constitution)

## DETAILED ANALYSIS

### Proposals and Analysis of Options

1. 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.
2. The Contract Standing Orders, Financial Regulations and Register of Authorities are a part of the constitution, which 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.
3. 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.

### Reasons for Decision

4. The Council's Monitoring Officer is required to review the Council's Constitution and to ensure that its aims and principles are given full effect in accordance with Article 14 of the Constitution.

## **Updates to Contract Standing Orders**

5. The updated Contract Standing Orders include the legally required steps for procuring contracts under the three regimes which will apply from February 2025:
  - Public Contract Regulations 2015 for some variations, extension of existing contracts and any call off or mini competition we run from framework live before February 2024 until it lapses.
  - The Procurement Act 2023 and Procurement Regulations 2024 which apply to new procedures for buying after February 2025.
  - Health Care Services (Provider Selection Regime) Regulations 2023 which apply to health-related procurements
6. The national procedural changes involve new procedures for running procurements, more legal notices during the process, greater transparency on planned procurement of large contracts and of the performance of large contracts on the anniversary of their award each year.
7. The new national regulations mean one change to existing H&F local thresholds for decision making. The updated contract standing orders move to a requirement for one quote a contract of a value up to £30k inclusive of VAT, instead of the present £10k threshold. This aligns with the new requirement to issue legal notices for any contract of value £30k inclusive of VAT. The amended contract standing orders make no other changes to thresholds for decision making in governance. The cover mainly the technical and procedural requirements under procurement regulation.

## **Financial Regulations**

8. The financial regulations were last updated over three years ago. Its good practice to regularly review the regulations and update to take into account any organisation changes.

## **Register of Authorities**

9. Following a corporate restructure and the creation of the Place, People, and Finance and Corporate Services departments, officers have prepared revised Registers of Authorities for each department which can be found at Appendix 3. The registers are presented for approval.

## **Changes to Committee Appointments and Outside Bodies Appointments**

10. The following committee appointments and outside bodies appointments have been proposed:
  - TBC – Health and Adult Social Care Policy and Accountability Committee.
  - TBC – Climate Change and Ecology Policy and Accountability Committee
  - TBC – Sir William Powell Almshouse

- TBC – The Lyric Theatre

#### **LIST OF APPENDICES**

Appendix 1 – Contract Standing Orders

Appendix 2 – Financial Regulations

Appendix 3 – Registers of Authorities