

APPENDIX 1

PROPOSED CHANGES TO CONSTITUTION OCTOBER 2009

No.	SECTION	TITLE/ SUBJECT	SECTION	PROPOSED CHANGES	REASON(S) FOR CHANGES
1	Part 2	Article 6 : Overview and Scrutiny Committees	Scope of the Education and Children's Services and Health and Adult Social Care Scrutiny Committees (page 18)	Change reference to "Cabinet Member for Community and Children's Services" to "Cabinet Member for Children's Services"	Changes to Cabinet portfolio responsibilities required by the Leader
2	Part 3	The Executive (Cabinet) 2009/10	Existing composition of the Cabinet (page 41)	Change reference to "Cabinet Member for Community and Children's Services" to "Cabinet Member for Children's Services- Councillor Sarah Gore"	Changes to Cabinet portfolio responsibilities required by the Leader (Cllr. Gore's appointment is subject to a separate report)
3	Part 3	The Executive (Cabinet) 2009/10	Scope of portfolio – Leader (pages 42 to 46)	a) Add to Leader's portfolio responsibility for the following functions for which the Cabinet Member for Community and Children's Services is currently responsible: Community and Health (section 1); 2012 Olympics (section 3.7)	Changes to Cabinet portfolio responsibilities required by the Leader

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				<p>b) Amend section 4 <i>Area in which power is shared with the Cabinet Member Community and Children’s Services; Adult Learning and Skills Service (incorporating local learning and skills) by deleting “Area in which power is shared with the Cabinet Member for Community and Children’s Services”</i></p> <p>c) Amend section 6 <i>Area in which power is shared with the Cabinet Member for Residents Services and the Cabinet Member for Community and Children’s Services (matters affecting residents which are the responsibility of third parties) by deleting “and the Cabinet Member for Community and Children’s Services.</i></p> <p>d) Amend section 8 <i>Area in which power is shared with the Cabinet Member for Community and Children’s Services and the Cabinet Member for Housing (social regeneration) by deleting “the Cabinet Member for Community and Children’s Services”.</i></p>	<p>Changes to Cabinet portfolio responsibilities required by the Leader</p> <p>Consequent on change no. 2 above</p> <p>Consequent on change no. 2 above</p>

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4	Part 3	The Executive (Cabinet) 2009/10	Scope of portfolio – Cabinet Member for Crime and Street Scene (pages 55 to 58)	Amend section 3 <i>Area in which power is shared with the Cabinet Member for Community and Children’s Services</i> (Youth offending team etc) to read: “Area in which power is shared with the Cabinet Member for Children’s Services”.	Consequent on change no. 2 above
5	Part 3	The Executive (Cabinet) 2009/10	Scope of portfolio – Cabinet Member for Community and Children’s Services (pages 59-64)	<p>a) Change the title of the portfolio to “Cabinet Member for Children’s Services”.</p> <p>b) Delete section 1 <i>Community and health functions</i>.</p> <p>c) Delete sections 4 to 7 and 9 <i>Areas in which power is shared with other Cabinet Members</i>.</p> <p>d) Delete reference to the Director of Community Services in the note regarding responsibility for the purposes of estimate preparation, monitoring and control and staffing/industrial relations issues.</p> <p>e) Delete section 3.7 <i>2012 Olympics</i></p>	<p>See change no.2 above</p> <p>See change no. 3a above</p> <p>These areas are not relevant to the revised portfolio</p> <p>This directorate is not relevant to the revised portfolio</p> <p>See change no.3a above</p>

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6	Part 3	The Executive (Cabinet) 2009/10	Scope of portfolio – Cabinet Member for Housing (pages 65 to 67)	<p>a) Amend section 2 <i>Area in which power is shared with the Leader and Cabinet Member for Community and Children’s Services</i> (social regeneration) by deleting “and the Cabinet Member for Community and Children’s Services”.</p> <p>b) Delete “In conjunction with the Cabinet Member for Community and Children’s Services ; Director of Community Services” in the note regarding responsibility for the purposes of estimate preparation, monitoring and control and staffing/industrial relations issues</p>	<p>See change no. 3d above</p> <p>This directorate is not relevant to the revised portfolio</p>
7	Part 3	The Executive (Cabinet) 2009/10	Scope of portfolio – Cabinet Member for Residents Services (pages 68 to 71)	Amend section 3, 4 and 5 <i>Areas in which power is shared with other members</i> by deleting reference to the Cabinet Member for Community and Children’s Services.	See change no.5c above
8	Part 3	The Executive (Cabinet) 2009/10	Scope of portfolio – Cabinet Member for Parks, Culture and Heritage (pages 72 to 74)	Amend section 5 <i>Area in which power is shared with the Cabinet Member for Community and Children’s Services and the Cabinet Member for Residents Services</i> (arts strategy) by deleting “the Cabinet Member for Community and Children’s Services and”.	See change no. 5c above

No.	SECTION	TITLE/ SUBJECT	SECTION	PROPOSED CHANGES	REASON(S) FOR CHANGES
9	Part 3	Overview and Scrutiny Committees Membership 2009/10	Education and Children's Services Overview and Scrutiny Committee (page 75)	Replace Councillor Sarah Gore in the list of members by Councillor Oliver Craig	See change no. 2 above (Councillor Craig's appointment is subject to a separate report)
10	Part 3	Regulatory and other Committees memberships 2009/10	4. Personnel Appeals Panel (page 96)	Delete reference to this panel and renumber succeeding paragraphs.	The Council agreed on 28 January 2009 to delegate to the Chief Executive the exercise of the Council's functions in determining whether to approve and implement new terms and conditions for staff. These new terms and conditions, applicable from 1 October 2009, provide for personnel appeals to be heard by Directors.

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11	Part 3	Executive arrangements and General Scheme of Delegation to all Chief Officers	Section A – Functions delegated to the Chief Executive and all Directors – Staffing and Employee Relations (page 104)	Delete para. 20 and replace it with: “To consider employees’ final appeals in relation to capability, disciplinary and grievance matters, provided the Chief Officer has not taken the decision in question.”	Consequent on change no.10 above
12	Part 3	Director of Children’s Services Scheme of Delegation	Part 2: Functions delegated to the Director in consultation/ conjunction with other officers (pages 186-188)	Replace reference to “Cabinet Member for Community and Children’s Services” in column 3, page 188 with “The appropriate Cabinet member”	Consequent on change no. 2 above, and to make this part of the document consistent with the remainder