

MONITORING OFFICER'S REPORT TO COUNCIL

28 OCTOBER 2009

LEADER
Councillor
Stephen
Greenhalgh

**REVIEW OF THE COUNCIL'S CONSTITUTION -
CHANGES TO CABINET PORTFOLIOS, OFFICER
SCHEMES OF DELEGATION AND COMMITTEE
TERMS OF REFERENCE**

WARDS
All

Summary

The Council at its meeting on 27 May 2009 agreed revisions to the Constitution and re-adopted the document for the 2009/10 Municipal Year.

This report is asking Council to approve changes to the portfolios of the Leader and other Cabinet members consequent upon the Leader's wish to change the scope of the portfolio of the Cabinet Member for Community and Children's Services. Other minor consequential changes to the Constitution are also proposed, together with changes in relation to the mechanism for determining staff appeals.

RECOMMENDATIONS

CONTRIBUTOR:
ADLDS

That the changes and amendments proposed to the Council Constitution, as summarised in Annex 1 to the report, be agreed.

1. COMMENTS OF MONITORING OFFICER

- 1.1 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. A further report reviewing the Council's Constitution to ensure that its aims and principles are given full effect in accordance with Article 15 of the Constitution will be included on the Annual Council Meeting agenda.

2. CABINET PORTFOLIO

- 2.1 Following the sad death of Councillor Antony Lillis a vacancy arose for the Cabinet Member for Community and Children's Services. The Administration proposes to make some changes to the scope of the portfolio. It is intended that the portfolio continues to deal with Children's Services. The new Cabinet Member title will be Cabinet Member for Children's Services. Responsibility for Community services, health, the voluntary sector and equalities will be transferred to the Leader's portfolio. These changes also have consequential impacts on other Cabinet Members' portfolios as set out in Appendix 1.

3. OTHER ISSUES

Officer Schemes of Delegation

- 3.1 Minor amendments are proposed to the schemes of delegation to reflect the changes in Cabinet Member portfolios.

Personnel Appeals Panel

- 3.2 In January 2009, Council delegated authority to the Chief Executive to approve and implement new terms and conditions for staff following the conclusion of the recent consultation with staff and the unions. The new terms and conditions for staff took effect from 1st October 2009. As part of this package, the right of staff to appeal to the Personnel (Members) Appeals Panel has been removed and replaced with the determination of appeals by Directors, on the basis that Director - level appeals can be arranged more quickly. The Panel will deal with all outstanding appeals and then cease to function. Appendix 1 includes proposed changes to the Constitution to effect this change.

Full copies of the proposed amendments to the constitution are available on the Internet, Intranet, Members' room and around the Council Chamber. In addition, copies can also be obtained on request from Councillors' Services staff.

LOCAL GOVERNMENT ACT 2000 - BACKGROUND PAPERS

No.	Brief Description of Background Papers	Name/Ext. of holder of file/copy	Department/Location
1.	Review of the Constitution Working papers/file	Michael Cogher Assistant Director of Legal and Democratic Services, Ext 2700	First Floor, Hammersmith Town Hall, Room 133a
2	Terms and Conditions report to Council January 2009	Kayode Adewumi Head of Councillors' Services, Ext 2499	Second Floor, Hammersmith Town Hall, Room 202a