


London Borough of Hammersmith & Fulham COUNCIL 18 October 2017		
REVIEW OF THE CONSTITUTION		
Report of the Leader of the Council – Councillor Stephen Cowan		
Open Report		
Classification: For Decision Key Decision: No		
Wards Affected: None		
Accountable Director: Rhian Davies, Monitoring Officer		
Report Author: Kayode Adewumi, Head of Governance and Scrutiny		Contact Details: Tel: 020 8753 2499 E-mail: kayode.adewumi@lbhf.gov.uk

1. EXECUTIVE SUMMARY

- 1.1 This report asks Council to note the Strategic Leadership Team management structure. It also recommends some amendments to the Scheme of Delegation to Officers and internal scheme of delegation, reflecting personnel and legislative changes. The establishment of the Chief Officers Employment Panel and Chief Officers Appeals Panels and changes to the Commercial Revenue Committee are also requested.

2. RECOMMENDATIONS

- 2.1 That the Strategic Leadership Team management structure (5.1) be noted.
- 2.2 That the changes to the Scheme of Delegation to Officers and the internal scheme of delegation that reflect new personnel and legislative changes in Appendix 1 and 2, be approved.
- 2.3 That the establishment of the Chief Officers Employment Panel and Chief Officers Appeals Panels and its terms of reference, as set out in Appendix 3 of the report, be agreed.
- 2.4 That the changes to the Commercial Revenue Committee as set out in Appendix 4 of the report, be agreed.

3. REASONS FOR DECISION

- 3.1 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.

4. INTRODUCTION AND BACKGROUND

- 4.1 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.
- 4.2 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.

5 PROPOSALS AND ISSUES

Strategic Leadership Team Structure

- 5.1 The Strategic Leadership Team has been created to work closely with the Interim Chief Executive to focus on the delivery of the Council's overarching strategic objectives. After a successful recruitment exercise, the following Chief Officers have been appointed:

Interim Chief Executive	Kim Dero
Interim Director of Delivery and Value	Sarah Thomas
Strategic Finance Director	Hitesh Jolapara
Interim Director for Human Resources	Mark Grimley
Interim Director of Adult Social Care	Lisa Redfern
Director of Children's Services	Steve Miley
Director of Public Service Reform	Rachael Wright-Turner
Director of Regeneration, Housing and Planning	Jo Rowlands
Lead Director of Environmental Services	Nick Austin
Commercial Director	Michael Hainge

Scheme of Delegation to Officers

- 5.2 Amendments to the Scheme of Delegation to Officers are required to reflect the changes to the new Strategic Leadership Structure. These changes are detailed in Appendix 1.

Internal Scheme of Delegation

- 5.3 Amendments to the internal scheme of delegation to officers are also required to reflect the creation of the new Director of Public Service Reform post. These changes are detailed in Appendix 2.

Chief Officers Employment Panel and Chief Officers Appeals Panels - Terms of Reference

- 5.4 In line with the Local Authorities (Standing Orders) (England) Amendment Regulations 2015, the Council at its meeting on 17 May 2017 established three new committees to deal with matters of discipline if required. These were:
- **Grievance Committee** – To hear a grievance brought by an employee against the Chief Executive if the matter remains unresolved informally.
 - **Disciplinary and Investigating Committee** – To investigate and take decisions on disciplinary matters including termination of the contract of employment of the Chief Executive, Monitoring Officer or Section 151 Officer ('the relevant officers') including referring the matter to the Statutory Panel should it recommend dismissal for one or more of the relevant officers.
 - **Appeals Committee** – To consider and determine an appeal made by the Chief Executive, Monitoring Officer or Section 151 Officer of any decision of the Grievance or Disciplinary Committee excluding recommendations to Council to terminate their contract of employment.
- 5.5 An alignment of the committee structure is also required to reflect the new senior officer structure. This report proposes that the functions of the 3 panels mentioned above, all matters related to the terms and conditions, and policies of employment, covering Chief Officers of the Council and all disciplinary matters of statutory and non-statutory Chief Officers are determined by the Chief Officers Employment Panel and Chief Officers Appeals Panels attached as Appendix 3. The terms of reference of the Chief Officers Appointment Panel remain the same.

Commercial Revenue Committee -- Terms of Reference Changes

- 5.6 The Commercial Revenue Committee currently has the powers to undertake the shareholder functions of LBHF Ventures Limited, receive its accounts and reports of its activities. The Council also has shareholding in other companies which it needs to exercise the same shareholder functions. The following organisations are examples:
- LBHF Family Support Services Limited
 - LBHF Ventures Limited
 - LBHF Joint Ventures Limited
 - H&F Bridge Partnership Limited

- 5.7 This amendment is proposing that the Commercial Revenue Committee discharges all the shareholder functions of any company in which the Council holds shares. It is also seeking to delete the Managing Director of LBHF Ventures Limited as an adviser to the committee. The updated terms of reference are attached at Appendix 4.

6 EQUALITY IMPLICATIONS

- 6.1 The equalities implications of this decision have been considered to be neutral.
- 6.2 Implications verified/completed by: Kayode Adewumi, Head of Governance and Scrutiny – Tel: 020 8753 2499

7 LEGAL IMPLICATIONS

- 7.1 It is important to note that 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.
- 7.2 It is proposed that the Terms of Reference for the Commercial Revenue Committee are amended so as to clarify that the Commercial Director will advise the Committee, as a council officer, and not as the Managing Director of LBHF Ventures Limited which is a position that he also holds.

Implications verified by: Rhian Davies, Chief Solicitor (Litigation and Social Care) – Tel: 020 7641 2729

8 FINANCIAL IMPLICATIONS

- 8.1 There are no direct financial implications.
- 8.2 Implications completed by: Kayode Adewumi, Head of Governance and Scrutiny – Tel: 020 8753 2499

9 BUSINESS IMPLICATIONS

- 9.1 There are no direct business implications.
- 9.2 Implications completed by: Kayode Adewumi, Head of Governance and Scrutiny – Tel: 020 8753 2499

LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT
None.