

County Council – 14 October 2010

Proposed Changes to the Constitution

1.0 Recommendations

- 1.1 That the Constitution as revised be approved by Council and the Director of Law and Democracy be authorised to make the necessary amendments to the Scheme of Delegation to Officers.

2.0 Report of the Director of Law and Democracy

- 2.1 At its meeting on 22 July 2010 County Council approved the introduction of a New Operating Model (NOM) for the Authority which aims to develop the 'one council' approach, better providing for the delivery of key outcomes to the benefit of the people of Staffordshire.
- 2.2 The revised structure for the Senior Leadership Team was approved and, more latterly, proposals for the second tier of management have been firmed up. Details are attached at Appendix 3.
- 2.3 There is a consequent need to amend Section 10 of the Constitution (relating to Officers) to ensure that the necessary authorities are in place to enable the delivery of services and decision making by officers to continue without risk of challenge. The required amendments are detailed at Appendix 2 to this report. It should be noted that the importance of the Statutory Chief Officer roles has not been diminished by the changes.
- 2.4 As the NOM develops there will be a need for a more comprehensive review of the Constitution, details of which will be submitted in due course.

Appendix 1

Equalities implications:

None

Legal implications:

The amendments to the Constitution are required to ensure the relevant authorities to Directors to enable them to carry out their roles effectively.

Resource and Value for money implications:

None

Risk implications:

It is important that the Council reviews its Constitution regularly to ensure that it remains fit for purpose.

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Schedule of amendments to Section 10 (Officers) of the County Council Constitution

Existing	Amendment
<p>Section 1 – Management Structure Para 1.4 list of Corporate Directors of the County Council And, as a consequence, all references throughout the Constitution.</p>	<p>To be amended to read:</p> <ul style="list-style-type: none"> • Chief Executive • Director of Strategy and Transformation and Assistant Chief Executive • Director for People and Deputy Chief Executive • Director of Children’s Services • Director for Place and Deputy Chief Executive • Director of Finance and Resources • Director of Law and Democracy • Director of Consumer Services and Communications
<p>The whole of Section 10 and Appendices Reference to the following Statutory Officers/Corporate Directors:</p> <ul style="list-style-type: none"> • Monitoring Officer/Director of Law and Governance • Chief Financial Officer/Director of Finance • Director of Children’s Services/Corporate Director (Children, Young People and Families) • Director of Adult Social Services/Corporate Director (Social Care and Health) 	<p>To be amended to read:</p> <ul style="list-style-type: none"> • Monitoring Officer/Director of Law and Democracy • Chief Financial Officer/Director of Finance and Resources • Director of Children’s Services/Director of Children’s Services • Director of Adult Social Services/Director for People and Deputy Chief Executive

PROPOSED CHANGES TO THE CONSTITUTION

Section 4 - Employment	
Para 4.3 List of Officers with specific provision in the Officer Employment Procedure Rules	To be amended to include: <ul style="list-style-type: none">• The officer designated as the Monitoring Officer

Appendix 1 – Scheme of Delegation to Officers Delegated powers to Chief Officers to be reallocated between the members of the Strategic Leadership Team (including the Director of Children’s Services) as required to reflect the areas of responsibility under the new operating model.
