

ARTICLE 15 - MONITORING AND REVIEW OF THE CONSTITUTION

[Statutory References: Sections 9P Local Government Act 2000 9as amended), Chapters 10 and 15 DETR Guidance]

1. DUTY TO MONITOR AND REVIEW THE CONSTITUTION

1.1. The Monitoring Officer will regularly review and monitor the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.

1.2. An annual review of the Constitution will be carried out at the end of each Municipal Year by the Monitoring Officer.

2. PROTOCOL FOR MONITORING AND REVIEW OF CONSTITUTION BY MONITORING OFFICER

2.1. The Monitoring Officer will make recommendations to the Council in respect of any proposed substantial amendments to the Constitution following his/her review of the Constitution. The Monitoring Officer will make changes when required by statute or decisions of Full Council and in addition shall keep documents incorporated by hyperlink under review and revise or substitute such documents as and when required for consistency or clarification.

2.2. A key role for the Monitoring officer will to be aware of the strengths and weaknesses of the Constitution adopted by the Council, and to make recommendations for ways in which it could be amended in order better to achieve the purposes set out in Article 1. In undertaking this task the Monitoring Officer may:

- a) Observe meetings of different parts of the Member and Officer structure;
- b) Undertake an audit trail of a sample of decisions;
- c) Record and analyse issues raised with him/her by Members, officers, the public and other relevant stakeholders;
- d) Compare practices in the Council with those in other comparable authorities, or national examples of best practice.

3. CHANGES TO THE CONSTITUTION

3.1. Substantial changes to the Constitution will only be approved following a majority of Members voting at a Full Council meeting and after consideration of the proposal and on the recommendation of the Monitoring Officer and Constitution Review Group.

- 3.2. In the event of a change from a Leader and Cabinet form of executive to another form of executive arrangement, or vice versa the Council will take reasonable steps to consult with local electors and other interested persons in the area when drawing up proposals and will take these into account before changing its Constitution.
- 3.3. Changes to the Constitution which do not involve a change in the form of executive arrangement will only be made following consultation which will be proportionate to the scale, scope and extent of the change proposed.
- 3.4. The Executive Director (Finance & Transformation) and Assistant Director (Legal and Governance) may make changes to the constitution where required in any relevant circumstances.