

1. Introduction

1.1. Under provisions contained within the Local Government Act 2000 (as amended) the Council is required to prepare and maintain a Constitution.

1.2. The Constitution must contain:

- The standing orders and rules of procedure of the Council;
- The Members' Code of Conduct;
- Such other information as the Secretary of State may direct;
- Other information (if any) as the Council considers appropriate.

1.3. Since changes to Local Authority Governance in 2000 more than 100 different matters that are required to be included within the Constitution including members allowance schemes and joint working arrangements with other local authorities.

1.4. Over the last twelve months gaps in procedure and conflicting provisions within the Constitution have been identified. The review of the Constitution will seek to resolve these issues whilst ensuring it is fit for purpose.

1.5. The Council requires an accessible and modern Constitution which is seen as a “living” document, not set in stone, but kept under regular review and which the Council is willing to adjust or clarify in the light of new or changing circumstances. Having a Constitution which is reviewed and updated regularly will help deliver a fair balance between the interests of the various groups within the Council.

1.6. The Constitution is not under the control of any single part of the Council, but a guiding document in which the whole Council, both officers and councillors, hold a significant stake.

1.7. Most importantly the Constitution needs to enable the Council to operate effectively. It must deliver:

- good governance behaviours;
- effective officer/member relationships;
- clear and effective decision-making;
- strong accountability;
- clarity and consistency.

2. Constitutional Review

2.1. The review process will be led by the Constitution and Civic Sub-Committee and will deliver a complete review of the existing Constitution and revise and update the language and content where needed. The aim is to produce a modern document which is concise where appropriate and detailed where needed, this aim will be supported by the following objectives:

- Produce a Constitution that is "Fit for Purpose", unambiguous and easily understood by Councillors, Officers, Partners and the public;
- Develop a Constitution that is "locally driven" and which reflect the values and culture of Plymouth City Council;
- Review standing orders and codes/protocols to ensure that they are legal, clear, effective and contribute positively to local democratic principles;
- Seek to remove any ambiguity and make roles of Committees explicit avoiding any duplication;
- Deliver a Constitution that is modern, reflects best practice and utilises language and style that will make it more accessible.

2.2. The Constitution and Civic Sub-Committee Undertake a complete review of the Constitution complete for submission to Council in 2023-24 including review and revision of;

- Articles and Part B;
- Part E: Committees, Joint Committees, Committee Procedure Rules And Other Statutory Functions;
- Part G – Codes And Protocols;
- Part H – Standing Orders;
- Structure Style and Format.

2.3. Whilst undertaking the review officers supporting the Constitution and Civic Sub-Committee will -

- Identify corrections required to the content of the constitution;
- Identifying best practice to adopt (LGA / other councils);
- Ensuring compliance with the DLUHC Open and Accountable local government guidance;
- Develop officer training through the Governance Stakeholder Group;
- Deliver a maintenance schedule for the new document.

3. Timescale

3.1. Proposals to Audit & Governance Committee on 25 July 2023, to include approval of below timetable.

Timescales

Stage	Purpose/ Action	Stakeholders	Timescale
Initiation	Report to Audit & Governance Committee to: <ul style="list-style-type: none"> • Agree objectives and scope of the review • Appoint members to the Constitution and Civic Sub-Committee 	Audit and Governance Committee	July 2023
Review of content (Stage One)	<p>Articles and Part B</p> <p>Review of articles for clarity, to include -</p> <ul style="list-style-type: none"> • Resignation of Leader • Defining and inserting a Budget Meetings as an additional meeting type • Amendments to Article 9 to more clearly reflect provisions in the Localism Act <p>Review of Part B: Responsibility For Council Functions,</p> <ul style="list-style-type: none"> • The Council And Council Procedures, to ensure alignment with Articles of the constitution • Rules of Debate <p>Part G – Codes And Protocols</p> <ul style="list-style-type: none"> • Petitions guidance • Member / Officer Protocol 	Constitution and Civic Sub-Committee	August

Review of content (Stage One)	<p>Part E: Committees, Joint Committees, Committee Procedure Rules And Other Statutory Functions</p> <ul style="list-style-type: none"> • Review of Chief Officer Panels • Creation to new Standards Committee (to replace the Standards Advisory Group. • Review of other Committee terms of reference. 	HR & OD Constitution and Civic Sub-Committee	August
Review of content (Stage Two)	<p>Part H – Standing Orders</p> <p>A detailed review of contract and finance standing orders is required to ensure -</p> <ul style="list-style-type: none"> • Compliance with finance, procurement and legal rules • Alignment with the Scheme of Delegation • Address some gaps and contradictions which are present in current standing orders. 	Governance Stakeholder Group Constitution and Civic Sub-Committee	July – September September
Approval (Stage One)	<p>(Move or add additional Audit and Governance Committee Meeting)</p> <p>A&G to confirm for recommendation to council –</p> <ul style="list-style-type: none"> • Articles and Part B • Part G – Codes And Protocols • Part E: Committees, Joint Committees, Committee Procedure Rules And Other Statutory Functions 	Audit and Governance Committee Constitution and Civic Sub-Committee Council	September

<p>Structure, format & style (Stage Two)</p>	<p>Structure Style and Format</p> <p>Review best practice and guidance on modern, user-friendly, accessible structure, format and style.</p> <ul style="list-style-type: none"> • Consider best practice design principles • Consider whether or not the current structure is appropriate/ how easy is it to find information/ how much cross-referencing is required • Consider approaches to indexing, summarising, use of hyperlinks, use of diagrams and flow charts 	<p>Constitution and Civic Sub-Committee</p>	<p>October</p>
<p>Approvals (Stage Two)</p>	<p>Report to Audit & Governance Committee to:</p> <ul style="list-style-type: none"> • Recommend amendments to standing orders to Council • Recommend Structure, Style and Format to Council 	<p>Constitution and Civic Sub-Committee</p>	<p>November</p>
<p>Approvals (Stage Two)</p>	<p>Report to Council to:</p> <ul style="list-style-type: none"> • Agree <ul style="list-style-type: none"> ○ Amendments to standing orders to Council ○ Changes to the structure, style and format. 	<p>Council</p>	<p>January</p>