

Meeting name:	Council Assembly
Date:	17 July 2024
Report title:	Proposed Amendments to the Constitution: Human Resources (HR)
Ward(s) or groups affected:	All
Classification:	Open
From:	Constitutional Steering Panel

RECOMMENDATIONS

That Council Assembly:

1. Agrees the proposed amendments to the constitution outlined in Appendix A of this report
2. Authorises the Proper Constitutional Officer to make all associated consequential changes to the constitution

BACKGROUND INFORMATION

3. Under the Local Government Act 2000, the council is required to maintain a constitution that sets out who is responsible for making decisions, how decisions should be made, the council's standing orders, and the code of conduct for councillors.
4. The council's constitution is regularly reviewed and updated to ensure good governance and transparent decision-making. The Constitutional Steering Panel is responsible for considering amendments to the constitution before they are presented to Council Assembly for agreement. The proposed amendments in Appendix A were considered by the Constitutional Steering Panel on 19 June 2024.

KEY ISSUES FOR CONSIDERATION

5. Officers in the Human Resources (HR) service are undertaking a comprehensive review of the council's HR policies and procedures. This review has been designed to:
 - support the council's ambition to be an exemplary employer
 - promote fairness and consistency in people management practice across the council

- reflect changes in legislation and guidance as well as best practice promoted by organisations such as the Chartered Institute for Personnel Development (CIPD), which is the professional body for HR
 - ensure there is consistency and clarity across the council's full range of HR policies and procedures
6. As part of this work, officers have identified four proposed amendments to the constitution, which are set out in **Appendix A**.

Policy framework implications

7. If the amendments proposed in this report are approved by Council Assembly, the relevant changes to the constitution will be implemented with immediate effect.

Community, equalities (including socio-economic) and health impacts

Community impact statement

8. The proposals in this report do not have a direct community impact.
9. The latest version of the council's constitution is always available on the council's website where it is fully accessible to the general public.

Equalities (including socio-economic) impact statement

10. Under section 149 of the Equality Act 2010, the council has a duty when exercising its functions to have due regard to:
- the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010
 - the need to advance equality of opportunity between persons who share protected characteristics and those who do not
 - the need to foster good relations between those who have protected characteristics and those who do not
11. The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity status, race, religion or belief, sex and sexual orientation.
12. The proposals in this report are not anticipated to adversely impact on any of the duties defined in the Equality Act 2010.

Health impact statement

13. The proposals in this report do not have a direct health impact.

Climate change implications

14. The proposals in this report do not have a direct climate change impact.

Resource implications

15. The proposals in this report do not have direct resource implications.

Legal implications

16. Please refer to the supplementary advice provided by the Assistant Chief Executive – Governance and Assurance at para. 19.

Financial implications

17. The proposals in this report do not have direct financial implications.

Consultation

18. The proposals in this report have been subject to consultation with relevant officers and councillors, including the Leader of the Council and the Cabinet Member for Equalities, Democracy and Finance.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Assistant Chief Executive – Governance and Assurance

19. There are no specific legal implications arising from the recommendations in this report. The Assistant Chief Executive – Governance and Assurance and her staff will continue to provide advice to officers on any legal and governance issues arising from implementation of the proposed changes set out in Appendix A.

Strategic Director of Finance (FC24/006)

20. This report recommends Council Assembly agree the proposed amendments to the constitution outlined in Appendix A of this report and authorise the Proper Constitutional Officer to make all associated consequential changes to the constitution.

21. The Strategic Director of Finance notes that there are no immediate financial implications due to the implementation of the recommendations.

BACKGROUND DOCUMENTS

Background Document	Held by and Contact
Southwark Council constitution	Constitutional Services constitutional.team@southwark.gov.uk

APPENDICES

No.	Title
A.	Proposed Amendments to the Constitution

AUDIT TRAIL

Lead Officer	Doreen Forrester-Brown, Assistant Chief Executive – Governance and Assurance	
Report Authors	Ben Plant, Director of People and Organisational Development	
Version	Final	
Dated	20 June 2024	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Assistant Chief Executive – Governance and Assurance	Yes	Yes
Strategic Director of Finance	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	20 June 2024	