

**Constitution Amendments – where have provisions been moved to?**

<b>Current Constitution</b>	<b>New Constitution</b>	<b>Notes</b>	<b>Status</b>
	Footnotes throughout Constitution	To insert statutory provisions in footnotes	IN PROGRESS
Explanation and Summary	Section 1 – Introduction	Simplified and shortened.	COMPLETE
Article 1 – The Constitution	Section 2 – Interpreting the Constitution	Structure and wording have been simplified to make provisions clearer.  New definitions section introduced for clarity throughout the Constitution.	COMPLETE except for definitions to be finalised in section 2.2
Article 2 – Members of the Council	Section 5 – Councillors Section 6 – The Mayor and the Executive	Mayor-related provisions moved to Section 6	COMPLETE
Article 3 – Citizens and the Council	Section 3 – Citizens and the Council		COMPLETE
Article 4 – The Full Council	Section 4 – Full Council		COMPLETE
Article 5 – Chairing the Council	Section 4 – Full Council	Incorporated into Full Council section	COMPLETE
Article 6 – Overview and Scrutiny Committees	Section 7 – Overview and Scrutiny	Amended to track Denbighshire, including a new introduction to explain scrutiny  NOTE: may be comments from GI working group on scrutiny function that need to be incorporated	COMPLETE (with a few outstanding questions)
Article 7 – The Executive	Section 6 – The Mayor and the Executive	All provisions relating to the Mayor and the Executive are in this section (some Mayor provisions previously sat in Councillor section)	COMPLETE

Article 8 – Policy and Regulatory and other Committees	Section 9 – Corporate Affairs and Audit		COMPLETE (with a few outstanding questions)
Article 9 – The Standards Committee	Section 8 – Standards Committee		COMPLETE (with a few outstanding questions)
Article 10 – Joint Arrangements	Section 10 – Joint Arrangements		COMPLETE
Article 11 – Officers	Section 11 – Officers		COMPLETE
Article 12 – Decision Making	Section 13 – Decision-Making		COMPLETE (with a few outstanding questions)
Article 13 – Finance, Contracts and Legal Matters	Section 12 – Finance, Contracts and Legal Matters		IN PROGRESS – to check duplication with Access to Information Procedure Rules
Article 14 – Review and Revision of the Constitution	Section 2 – Interpreting the Constitution	Included in section 1 for ease of reference	COMPLETE
Article 15 – Suspension, Interpretation and Publication of the Constitution	Section 2 – Interpreting the Constitution	Included in section 1 for ease of reference	COMPLETE
Article 16 – Other Committees of the Council	Section 9 – Corporate Affairs and Audit	Article 16 seemed to relate only to Corporate Affairs and Audit Committee so the title of this section has been amended accordingly	COMPLETE (with a few outstanding questions)
Article 17 – Financial and Contract Procedure Rules (Standing Orders)	Section 14 – Financial and Contract Procedure Rules (Standing Orders)		COMPLETE

Article 18 – Scheme of Delegation	Section 15 – Scheme of Delegation		COMPLETE
Schedule 1 – Description of the Executive	Section 6 – The Mayor and the Executive		COMPLETE
Schedule 2 – Executive Portfolios	Section 6 – The Mayor and the Executive	Set by the Mayor	NOT IN SCOPE
Council Procedure Rules	Section 4 – Full Council	Follow on from Council provisions so all information is in one place.  The rules have been restructured and simplified to make them more accessible.	COMPLETE (with a few outstanding questions)
Access to Information Procedure Rules	Section 16 – Access to Information Procedure Rules	Not added to Section 3 – Citizens and the Council due to length and relative complexity.  This section will be hyperlinked and cross-referenced in Section 3.	COMPLETE (with a few outstanding questions)
Budget and Policy Framework Procedure Rules	Section 17 – Budget and Policy Framework Procedure Rules	Will be cross-referenced and hyperlinked as required	COMPLETE (with a few outstanding questions)
Executive Procedure Rules	Section 6 – The Mayor and the Executive	Follow on from Executive provisions so all information is in one place.	COMPLETE (with a few outstanding questions)
Overview and Scrutiny Procedure Rules	Section 7 – Overview and Scrutiny	Follow on from OSB provisions so all information is in one place.	COMPLETE (with a few outstanding questions and any suggestions to incorporate from GI working group)
Officer Employment Procedure Rules	Section 11 – Officers	Follow on from Officer provisions so all information is in one place.	COMPLETE (with a few outstanding questions)

Member's Allowances Scheme	Section 20 – Members' Scheme of Allowance	<p>Regulations require that the Scheme of Allowance are set at the start of each year, therefore, the 2022/23 Scheme will apply until new ones are adopted for 2023/24.</p> <p>In the light of this, the Scheme have just been copied across to the new Constitution.</p> <p>The numbering has been conformed to the format of the updated draft Constitution.</p> <p>The Scheme for next year will need to use defined terms from the updated Constitution.</p>	COMPLETE – no drafting changes made (see comment left)
Management Structure	Section 11 – Officers		UPDATED VERSION TO BE COPIED IN
Members' Code of Conduct	Section 20 – Codes and Protocols	Reviewed internally in summer 2022 and approved by Constitution working group.	NOT IN SCOPE – Bernie to add provisions relating to Values and updated version to be included in final Constitution
Standards Procedures	Section 8 – Standards	<p>Follow on from Standards provisions so all information is in one place.</p> <p>Reviewed internally in summer 2022 – Constitution Task and Finish Group to review and confirm happy with content.</p> <p>Suggestion has been made that further sanctions might be recommended for inclusion by the constitution working group – TBC.</p>	NOT IN SCOPE – this has been added to section 8 and formatted to conform to the rest of the Constitution. Some non-substantive changes have been made for clarity/consistency. <b>To be approved by Committee/group responsible for</b>

			<b>previous review (changes shown in track)</b>
Officers' Code of Conduct	Section 20 – Codes and Protocols	Very light touch review to conform formatting, defined terms etc. New wording included to cover Nolan Principles.	COMPLETE (with a few outstanding questions)  <b>To be circulated to LMT and the Trade Unions for approval</b>
Protocol for Members and Officers on Gifts and Hospitality	Section 20 – Codes and Protocols	Very light touch review to conform formatting, defined terms etc.	COMPLETE (with a few outstanding questions)
Protocol on Member/Officer Relations	Section 20 – Codes and Protocols	Reviewed by roles and responsibilities working group.  The format has been conformed to the rest of the Constitution and some non-substantive amendments have been made.  TBC whether wording needs to be included to reference the Council's Values.	COMPLETE – <b>to be approved by group responsible for previous review</b>
Filming of Council Meetings	Section 20 – Codes and Protocols	Very light touch review to conform formatting, defined terms etc. and to update a statutory reference.	COMPLETE
Group Leader Role Profile	Appendix 2	Light touch review to conform format and defined terms.  Moved to come after Code of Corporate Governance so that all role profiles are together.	COMPLETE

		NOTE: This is not in the current Constitution table of contents	
Code of Corporate Governance	Appendix 1	Light touch review to conform to format and defined terms.	COMPLETE
Monitoring Officer Protocol	Appendix 3	Light touch review to conform to format and defined terms.	COMPLETE
Statutory Officer Profiles	Appendix 4	Light touch review to conform to format and defined terms.	COMPLETE
Proper Officer Functions	Appendix 5	Light touch review to conform to format and defined terms.  Statutory references moved to footnotes.	COMPLETE (with a few outstanding questions, particularly relating to repealed legislation)
Councillor Calls for Action Procedure and Guidance	Appendix 6		NOT STARTED – to consider whether this can be simplified
Financial and Contract Procedure Rules (Standing Orders)	Separate document – referred to in section 14		NOT STARTED
Scheme of Delegation	Separate document – referred to in section 15		NOT STARTED

**Substantive changes to the Constitution**

Provision	Change made	Commentary
General	The approach taken has been to simplify the wording of the Constitution to make it more accessible.	<p>The substance of the Constitution is largely unchanged (save as set out in this table), but over-complicated wording and sections that have been added to e.g., try to cover off every possible eventuality have been pared back.</p> <p>The Constitution is modelled on the Denbighshire County Council Constitution, which has a similar basis to the Middlesbrough Constitution, but in a simpler format.</p> <p>The Constitution has a series of FAQ-style headings in each section for ease of understanding and navigation.</p>
General	Section 2 includes a definitions section.	There are several key terms that are used throughout the Constitution that were not previously defined (or at least not in one place). The definitions section provides a single point of reference for any defined term.
General	Each section includes an explanatory note setting out what it covers.	This is for ease of navigation of the Constitution and so that the reader can see at a glance what each section is about.
General	References to legislation have been removed unless required for e.g., definitions.	<p>Including legislative references can be distracting for the reader and they are not absolutely necessary to the understanding of the Constitution.</p> <p>Legislative provisions have been included as footnotes – TBC whether this will be internally facing only to avoid potential issues relating to (a) the public having access to a level of information that is not required for them to understand the Constitution, and may in fact create confusion or misinterpretation; and (b) the risk of references being incorrect/out of date, which could open the Council up to challenge/criticism.</p>
General	In the final version of the document, the intention is for sections in the table of	This has not yet been done as the document is still a work in progress and the numbering is not fixed.

	contents, and any cross references within the Constitution, to be hyperlinked for ease of reference.	
General	Procedure Rules have been moved to the relevant section of the Constitution to follow on from the Article provisions.	This aligns with how the Denbighshire Constitution is set out.  It makes it much easier to find all the information about how e.g., Full Council or the Executive operates without having to read across several sections of the Constitution.
General	The Constitution has been amended to clarify that the Mayor is not a Councillor.	Where rules applicable to Councillors also apply to the Mayor, this has been specified.
Section 1 – Introduction	As the statutory officer roles are defined in section 2.2, they have been removed from the introduction. More detail of the roles is provided in section 11.	Inconsistency of use of the term Section 151 Officer and Chief Finance Officer has been resolved. Section 151 Officer has been preferred.
Section 2 – Interpreting the Constitution	The purpose of the Constitution has been simplified.	The new drafting gets to the heart of what the Constitution is for.
Section 2.2 – Meanings of key terms used in the Constitution	New definitions section.	The main terms used in the Constitution have been defined here to provide consistency and a simple reference source.  A definition of “working days” has been included to clarify that this does not, for example, include bank holidays
Section 2.3 – Who decides how the Constitution is to be interpreted?	The Monitoring Officer has final say on the legal interpretation of the Constitution	Members, Officers and members of the public can rely on the Monitoring Officer to make a final professional judgement on any question of the legal interpretation of the Constitution.  Note that this does not prevent the Chair of the Council from applying the Council Procedure Rules at a meeting, and relates specifically to legal



		questions of interpretation. See section 4.8 (Who decides how the Council Procedure Rules apply in Council meetings?)
Section 2.8.2 – When can the Constitution be suspended?	Councillors changed to Members for the purposes of who needs to be present for the Constitution to be suspended.	This change has been made so that the Mayor is included in the count for the purposes of determining whether the required half of the chamber is present.
Section 3.5 – What are citizens' responsibilities in relation to the Council?	Wording replaced with positive obligations	In the current Constitution, citizens' responsibilities were framed very negatively i.e., citizens should not abuse/attack Members and Officers. The revised wording frames responsibilities in a more positive way, with a focus on engagement with the democratic process and treating Members and Officers with respect.
Section 4 – Full Council	Council Procedure Rules restructured and simplified.	More detail of changes made to the Council Procedure Rules is set out below.
Section 4 – Full Council	Responsibility for functions is covered in section 13. The wording of Article 4.4 has been moved to that section.	See section 13.3.
Section 4 – Full Council	A change has been made so that the Chair will only be responsible for interpreting the Constitution in the absence of the Monitoring Officer or their deputy at a Council meeting.	This is in line with the principle that the Monitoring Officer has final say on the interpretation of the Constitution.
Section 4.3.1 – Policy Framework	Deleted <ul style="list-style-type: none"> <li>• Change Strategy</li> <li>• Youth Justice Plan</li> </ul>	Under section 4.2 of the Constitution, Full Council must approve the Policy Framework. Section 4.3.1 sets out the elements that form the Policy Framework. In the current Constitution, this includes the Change Strategy and the Youth Justice Plan.  These have both been deleted from the list because: <ul style="list-style-type: none"> <li>• Middlesbrough does not currently have a Change Strategy; and</li> </ul>

		<ul style="list-style-type: none"> <li>The Youth Justice Plan does not require the approval of Full Council</li> </ul>
Section 4.5(f) – What is the Chair’s role?	Amended wording around being the “public conscience” of the Council.	It was felt that it wasn’t clear what this means. The provision has been amended to clarify that the Chair upholds the principles of the Constitution and the Members’ Code of Conduct.
Section 4.8 – Who decides how the Council Procedure Rules apply in Council meetings?	Still for the Chair to decide, but made explicit that this is on the advice of the Monitoring Officer.	This happens in practice, particularly in relation to issues of legality.
Section 4.9 – How do the Council Procedure Rules apply to the Executive and Committees?	Section added to explain how the Council Procedure Rules apply to the Executive and Committees.	States which rules apply to Committees (all others apply to Full Council only).  Refers to Executive Procedure Rules for rules relating to Executive meetings.
Section 4.11.2(f) – Committee and political balance arrangements	Clarification sought on whether Committee chairs should be appointed by Committees or Full Council at the annual meeting.	
Section 4.13.3 – Conduct of extraordinary meetings	Clarified to confirm that rules pertaining to ordinary meetings apply to extraordinary meetings.	Carve out for anything to the contrary in section 4.13.  Clarification at the request of the Constitution Committee.
Section 4.14.1 – Time of meetings	Specific time and place for meetings deleted.	This level of detail is not necessarily required and will be included in the summons in any event. Not specifying time and place also allows for flexibility if it’s required. It is also “the way things we do things round here”.

Section 4.19.2 – Are Members allowed to attend Council meetings remotely?	Clarification that external speakers may attend meetings remotely.	For example, an external expert who is presenting to OSB.  Clarification at request of Constitution Committee to confirm in 4.19.1 that Members <u>and Officers</u> must attend in person.
Section 4.20.5 – Scope of questions	Simplified, with a catch all for anything that the Chair, with the advice of the Monitoring Officer, considers inappropriate.	This gives the Chair discretion to reject a question that is not appropriate, without spelling out every specific example of when that might be the case.
Section 4.21.1	Clarification as to when the time for questions will be extended.	This applies when there is a pressing need for public debate that cannot wait until the next meeting.
Section 4.26.2 – Questions on notice	The timing for submission of questions to Members and Executive Members has been aligned (i.e., 3 days before the relevant meeting, unless urgent).	This incorporates a change requested by Democratic Services.
Section 4.28.2 – Previous motions	New provisions included relating to the scope of motions as they relate to previous motions.	A motion or amendment to rescind a motion agreed within the previous six months needs to be signed by $\frac{1}{4}$ of Members.  A motion or amendment in similar terms to a motion that has been rejected in the previous six months needs to be signed by $\frac{1}{2}$ of Members.  Number/proportion of Members required for each updated to reflect comments from Constitution Committee (previously 10 and 20 respectively, which was felt to be arbitrary).
Section 4.27.3 – Motion set out in agenda	Clarified to confirm that a motion can be withdrawn at any point before or during a meeting.	I.e., a motion can be withdrawn right up until the point the Member moves it.
Section 4.31.1 – Amendments to motions	The wording of a motion may be amended as long as the effect of amendment does not negate the effect of the motion.	This is standard practice for Middlesbrough, but worth clarifying.

Section 4.33.1 – Motions which may be moved during debate	Added that a motion to move directly to a vote can be moved during debate.	Reflects practice.
Section 4.35 – What is a personal explanation and when is it used	Clarified that a personal explanation is a point of clarification that relates specifically to an individual Member.	I.e., where a Member wishes to clarify something relating to them personally.
Section 4.37 – What is a motion of no confidence?	Additional wording added to explain the practical effect of a vote of no confidence.	It was felt that, as votes of no confidence often have no practical effect (i.e., they cannot remove an elected person), additional commentary was needed.
Section 4.39.1 – How is a motion of no confidence brought in respect of the Mayor, an Executive Member or a Member?	Clarified to distinguish between vote of no confidence in Executive Member as a member of the Executive, and as a Member (in a Ward context).	Different consequences for each i.e., Executive Member can be taken off the Executive by the Mayor, but can't be removed as a Member unless they resign, are disqualified or a successor is appointed.
Section 4.43 – What happens if a Member is disqualified	Clarification that, if a Member is disqualified from holding office, they will be removed from any position in the Council with immediate effect.	This section needs to cross-refer to provisions relating to disqualification.
Section 4.52.4 – Record of attendance?	Changes made to reflect how attendance at Council meetings is recorded in practice.	A register of Members' attendance (and noting of any notified absences) is kept by Officers.

Section 4.53.1 – Speaking at meetings	Clarified to confirm that Members are only required to stand when speaking <u>if able</u> .	Clarification requested by Constitution Committee.
Section 5.4 – How long does a Councillor’s term last?	Clarity has been added about what happens if a Councillor leaves office before the end of their term.	Similar provisions relating to when the Mayor leaves office early have been added at section 6.4 – What is the Mayor’s term of office?
Section 6 – The Mayor and the Executive	All provisions relating to the Mayor have been moved to sit with the provisions relating to the Executive.	Provisions relating to the Mayor fit more neatly with those relating to the Executive.  Section 6 cross-refers to section 5 to cover the common duties and rights of the Mayor as a Councillor.
Section 6 – The Mayor and the Executive	The Executive Procedure Rules have been simplified and clarified where appropriate.	See below for further details.
Section 6.6(b) – What is the Mayor’s role?	Clarity added to confirm that the Mayor’s role includes providing overall <u>strategic</u> direction to the Council.	The current provision that the Mayor provides “overall direction” was felt to be too broad and not in line with the Mayor’s remit.
Section 6.7 – Is the Mayor a Councillor?	Provision stating that the Mayor counts in the political balance formula for committee seat allocation deleted.	Previous advice received by the Council confirmed that this is not the case. The Mayor may sit on certain non-Executive Committees, but does not count for the purposes of applying the political balance formula. This is consistent with how seat allocations are worked out.
Section 6 – Executive Procedure Rules	Provisions relating to conflicts of interest deleted	These provisions cross refer to the Member Code of Conduct and this section of the Executive Procedure Rules did not anything substantive.
Section 6.16.2 – How may Executive	Removal of reference to “area committees”	Middlesbrough does not have area committees.  Also removed at 6.17(a) and 6.18.1

decisions be delegated by the Mayor?		
Section 6.36.1(o) – The Executive collectively	Amended to reflect Brexit	Previously referred to Executive ability to waive Standing Orders relating to contracts, provided it was in line with EU procurement legislation. This has been broadened to refer to any relevant statutory procurement procedures.
Section 7 – Overview and Scrutiny	The Scrutiny Procedure Rules have been restructured and simplified.	See below for further details.
Section 7.3.1(d)	OSB’s right to question Officers about their “views” on issues and proposals changed to “detail of the facts of an issue”.	It is not for Officers to offer their opinion on issues and proposals to OSB, but to clarify any issues of fact to aid its scrutiny function.
Section 7.3.4 - Finance	Changes to provide clarity on OSB’s role in Budget-setting.	TBC
Section 7.3.5 – Audit	Clarification of OSB’s role in relation to audit.	TBC
Section 7.3.6 – Annual report	Note the requirement for OSB to provide an annual report to Council on its recommendations and forward work plan	This requirement is in the current Constitution but has not been happening in practice. The purpose of the annual report is to demonstrate how OSB is adding value and provide an overview of its activities (which is different from the purpose of its regular reporting, which covers matters arising at the most recent committee meeting(s)).
Section 7.11 – How is the Overview and Scrutiny Board work programme set?	Wording regarding taking into account non-majority party views amended.	The Constitution currently says that OSB should take into account the wishes of Members not in the largest political party. The new wording achieves a similar effect but it is qualified slightly in that if there are no members from e.g. the Conservatives on OSB, then their wishes can’t be taken into account.

Section 7.16.2 – When and how can Members and Officers be called to give account?	Clarification of who is included in the definition of “Senior Officer”.	Senior Officers are Chief Officers, their deputies, and any other appropriate Senior Officer. Questions as to the appropriateness of an Officer being called to account are to be resolved by the Chief Officer and the relevant scrutiny chair.
Section 7.23 – When can Call-In be triggered?	The list of reasons a decision can be called- in has been removed.	7.23.4 provides the principles on which Call-In should be exercised, which should be sufficient for its proper exercise to be monitored. There is a risk with a list like this that, if a decision falls even slightly outside the exclusions, someone could use that as a way to get round the restriction.
Section 7.23.4 – When can Call-In be triggered?	Provision included to say that, if Call-In hasn’t been triggered in respect of a decision, it can be implemented on the 6 <sup>th</sup> day.	For completeness.
Section 7.24.1 – What is the process for Calling-In a decision?	New definition of ‘Notice of Call-In of Decision’	This is the form to be filled in to trigger Call-In. The form will need to be updated match this.
Section 7.24.1 – What is the process for Calling-In a decision?	Provision added so that a Member who has a prejudicial interest in the decision being Called-In may not sign the Notice of Call-In of Decision.	To prevent conflicts of interest.
Section 7.24.4 – Meeting to consider Call-In	Clarification of when the timing for meeting runs from.	Constitution currently says no sooner than 10 working days from the “date of the decision to Call-In”. It makes more sense for this to be the date the Notice is submitted.
Section 7.24.4 – Meeting to consider Call-In	New provision to require signatories to the Notice to attend the meeting at which Call-In is discussed.	

<p>Section 7.25 – Does Call-In apply to urgent decisions?</p>	<p>Further provisions added to cover urgent decisions and make the process clearer.</p>	<p>These provisions allow the Chair/Vice Chair of the Council to determine urgency if the OSB chair is unavailable. It also requires the decision-maker to explain the reason for urgency.</p>
<p>Section 7.26 – When can Members and Officers be called to account in relation to Call-In?</p>	<p>These provisions have been simplified.</p>	<p>The wording has been amended to make these provisions clearer and easier to read.</p> <p>The provision requiring that Officers be treated with respect has also been removed as this is an overarching principle in the Constitution and is covered by the Codes of Conduct and the Member/Officer Protocol.</p>
<p>Section 7.27 – What happens at a Call-In meeting?</p>	<p>The process for scrutiny of Called-In decisions has been simplified and clarified.</p>	<p>There are separate sub-headings for different scenarios (i.e., referral back to decision-maker; referral to Full Council) and the wording has been stripped back slightly.</p> <p>New provisions have been included to confirm what happens if OSB decides there is no case to answer (7.27.4) and if the original decision is confirmed by the decision-maker (7.27.5).</p> <p>If there is no case to answer, the Monitoring Officer will inform the Mayor, the Chief Executive and any delegated decision taker that the decision can be implemented.</p> <p>If the original decision is confirmed by the decision-maker, it cannot be subject to further Call-In. The decision-maker should demonstrate that they have considered OSB's recommendations.</p>
<p>Section 7.28 – How are decisions that are contrary to the Budget and</p>	<p>Provisions relating to referring Call-In to Full Council deleted.</p>	<p>These provisions seemed to duplicate, and contradict in places, the rules around Calling-In decisions that are contrary to the Budget and Policy Framework set out in those Procedure Rules.</p> <p>All provisions relating to Call-in are now in one place.</p>



Policy Framework Called-In?		
Section 8 - Standards	Standards Procedure Rules	NOTE: The Standards Procedure Rules have been reviewed recently by the Council so have not been part of the scope of this review. However, they have been amended to follow the structure that has been used throughout the Constitution.
Section 8.2.2 – Who sits on the Standards Committee?	Clarification of when Parish Council Members will sit on the Committee	Where the Standards Committee is considering a complaint against a member of a Parish Council, and/or an agenda item concerns or may affect a Parish Council, a member of each Parish Council will be entitled to sit on the Standards Committee.
Section 8.3.2 – What is the role of the Standards Committee?	Changes to simplify the role of the Standards Committee	Focus is on Member Code of Conduct.  References to Officer Code of Conduct removed as this should be dealt with under the Officer Employment Procedure Rules.
Section 9 – Responsibility for Functions	OSB provisions moved to section 7.	In the current Constitution, there are three paragraphs at the end of the Article that refer to OSB, while the rest of the provisions seem to relate to the Corporate Affairs and Audit Committee.  See sections 7.2.1(a), 7.2.2 and 7.2.3.
Section 9 – Responsibility for Functions	Corporate Affairs and Audit delegated functions set out here	
Section 9 – Licensing Committee	Licensing Committee delegated functions set out here	New provision – ToR not previously included or set out elsewhere
Section 9 – Planning and	Planning and Development Committee delegated functions set out here	New provision – ToR not previously included or set out elsewhere

Development Committee		
Section 11.3.6 – Advising whether Executive decisions are with the Budget and Policy Framework	Clarified to provide that this advice is provided in conjunction with the Section 151 Officer.	The Section 151 Officer will work with the Monitoring Officer to advise on financial matters relating to the Budget.
Section 11.8.2 – Seeking support for an appointment	Additional provision added so that any Councillor or the Mayor may not give a reference for an appointment to the Council.	Current Constitution says that Councillors and the Mayor should not seek support for such an appointment and this clarifies that a reference would also not be appropriate support.
Section 11.10 – How are Chief Officers appointed?	“Appointment Committee” changed to “Chief Officers Appointments Committee”	To match Proper Officer Functions wording.
Section 11.12.1 – What is a Political Assistant and how are they appointed?	Definition of Political Assistant added.	Follows section 9 LGHA.
Section 11.13 – Can the Mayor appoint an assistant?	Wording added to clarify that the Mayor’s assistant will be a Council employee.	
Section 11.15.2 – Other Chief Officers	Updated reference to Joint Negotiating Committee Conditions of Service.	The disciplinary model procedure is now contained in Part Four.

Section 12.5.1 – How does the Council execute documents?	Clarified to confirm that the Council can execute documents under seal or by signing, depending on the nature of the document.	The Constitution, as currently drafted implies that the Council can only execute documents under seal, when in reality it depends what the document is.  Section 12.5.4 confirms that the Monitoring Officer will decide when the seal needs to be used.
Section 16 – Access to Information Procedure Rules	Provisions relating to Executive meetings moved to section 6 (Executive Procedure Rules).	These seem to fit more naturally here – the concern Executive procedure more than public access to information.
Section 16 – Access to Information Procedure Rules	Simplification of exclusion of reports wording.	“If the Monitoring Officer thinks fit, the Council may exclude access by the public to reports which, in their opinion, relate to items during which, in accordance with Rule 14, the meeting is likely not to be open to the public. Such reports will be marked “Not for Publication”, together with the category of information likely to be disclosed and if applicable, why it is in the public interest it is considered that the information should not be disclosed.”
Section 16 – Access to Information Procedure Rules	Wording re disturbance deleted.	This is covered elsewhere.
Section 16 – Access to Information Procedure Rules	Wording in records of decisions section looks to be repeated from public right to copies of documents.	Deleted and replaced.
Section 16 – Access to Information Procedure Rules	Moved the following wording to come after limits on access to information by scrutiny:  “Where the Monitoring Officer determines that Overview and Scrutiny boards are not	This didn’t seem to fit the context when it followed the previous section as it refers to reasons for limiting access.

	entitled to a copy of the document that has been requested for the reasons set out above , the Executive must provide the Overview and Scrutiny Board, or the relevant Scrutiny Panel, with a written statement setting out the reasons for that decision.”	
Section 16 – Access to Information Procedure Rules	Provisions relating to circulation of agendas/reports to Members/the Executive deleted.	These are covered in Council / Executive Procedure Rules.
Section 16 – Access to Information Procedure Rules	Provisions relating to Member access to material relating to forthcoming business deleted.	This is repetition of wording that is included elsewhere in the rules. As the Forward Work Programme section has been moved to the Executive Procedure Rules, it is not necessary to mention it specifically.
Section 18 – Financial Regulations	Significant changes made.	
Section 20 – Scheme of Delegations	Significant changes made.	
Officers’ Code of Conduct – What are the Nolan Principles and how do they apply to employees?	Nolan Principles added.	The Nolan Principles have been set out in full, and their application to public office-holders explained.

Officers' Code of Conduct, section 1.5(j) – In what circumstances may employees undertake private paid work?	Wording amended to clarify meaning and align more closely with other provisions in section 21.4.	Meaning unchanged.
Officers' Code of Conduct, section 1-16-1.18 – General	Provisions moved to fit more neatly with sub-headings.	Meaning unchanged.
Officers' Code of Conduct sections 1.22 and 1.23 – Protocol on Member / Officer Relations	Moved to the end of the Code of Conduct.	This fits more neatly at the end of the Code as it refers to Officers rather than employees (and the provisions that follow it currently go back to employees).
Protocol for Members and Officers on Gifts and Hospitality	References to “you” changed to Members and Officers. References to “the authority” changed to the Council.	For consistency with the rest of the Constitution and for clarity.
Protocol on Member/Officer Relations	Updated version added.	This has been reviewed and approved by the Roles and Responsibilities Governance Improvement Working Group. No further changes have been made to this, other than to align the numbering format with the rest of the Constitution and to tidy up some typos/make use of language consistent.
Filming of Council Meetings, section 1.1 – What rights do members of the public have to	Updated to refer to legislation that is now in force.	The Regulations were pending when this was last updated.  The Government guidance for members on the public on how to access Council meetings has been linked.

record Council meetings?		
Appendix 2 – Group Leader Role Profile	Updated to reflect current political group memberships.	Clarified by Constitution Committee.  Note that this will need to be updated after the election.
Appendix 2, paragraph 1.1 – What is a group leader?	Wording added to note that each political group represented on the Council has a Group Leader.	For completeness.
Appendix 3, paragraph 1.2.2(q) – What are the working arrangements between the Monitoring Officer and Members and Officers	Clarified to refer to Parish Council Members as distinct from Council Members.	
Appendix 3, paragraph 1.4 – How are breaches of this Protocol dealt with?	Cross-reference to Standards Committee hearing procedure.	To clarify how this will be dealt with and to remove a reference to a sub-committee that was otherwise undefined.
Appendix 4, paragraph 1.5 – What are the Chief Finance Officer’s statutory and constitutional	Duplicated bullet point deleted.	The following paragraphs have been merged into a single point (section 28.5(u)):  “consult the Monitoring Officer and the Strategic Commissioning and Procurement Technical Manager where contracts to work for organisations other than the Council are contemplated;”

responsibilities in relation to the administration of financial affairs?		“take advice from the Monitoring Officer, and the Strategic Commissioning and Procurement Officer must be consulted where contracts to work for organisations other than the Council are contemplated;”
Appendix 4, paragraph 1.13.1 – What are the statutory and constitutional responsibilities of the Complaints Manager?	Cross reference to section 3.4.	Section 3.4 sets out how members of the public can make complaints and links to the Council’s complaints scheme on the website.
Executive Arrangements	These have been copied across with a few minor tweaks.	These now follow the Executive Procedure Rules in section 6.  References to “financial and policy framework” replaced with “Budget and Policy Framework”
Executive Portfolios	Copied across “as is”.	These now follow the Executive arrangements in section 6.