

EXTRACT FROM COUNCIL APPROVED ACTION PLANS 22/03/10

Action Plan in response to KPMG Report

RECOMMENDATIONS		
The Role of the Borough Solicitor		
R1. Review the constitution to make clear what the Borough Solicitor can and cannot do regarding decisions to instigate and continue legal action, whether financial limits should apply to the Borough Solicitor's delegated authority, and when and from whom further sanction is required for financial expenditure above that limit.		
Recommended Action	Due Date	Lead officer
1. That the powers delegated to the Borough Solicitor will be considered as part of the review of the Constitution (including the Employee Delegation Scheme). Specific consideration will be given to the scope of delegation of decisions to instigate and continue legal action and to any financial limits which should apply and, how and from whom authority to exceed that limit is obtained.	30 th September 2010	Borough Solicitor
2. That the Borough Solicitor is tasked to undertake a comprehensive review of the Constitution and to produce a report by the 30 th September 2010 for consideration by the Staff and Support Services Committee.		
R2. Review the constitution for other potential instances where authority is delegated to individuals without clarity over the extent of their financial authority.		
1. That the Employee Delegation Scheme to be reviewed by the Borough Solicitor as part of the review of the Constitution. The review will consider whether there is sufficient clarity as to the financial restrictions which should appropriately apply and how and from whom authority to exceed any limits is obtained.	30 th September 2010	Borough Solicitor
2. That the Borough Solicitor is tasked to undertake a comprehensive review of the Constitution and to produce a report by the 30 th September 2010 for consideration by the Staff and Support Services Committee.		

Recommended Action	Due Date	Lead officer
The Role of Members		
<p>R4. Review the need for, and remit of, the S&SSC and other committees. In a Cabinet/Scrutiny model, a Council may only need regulatory committees (Licensing, Audit, Planning). Mixing decisions between Cabinet and S&SSC can be confusing. It may be possible for many operational matters to be delegated to the officers and the Chief Executive as head of paid service, perhaps supported by ad hoc Member Panels or other fora for advisory purposes.</p>		
Recommended Action	Due Date	Lead officer
<ol style="list-style-type: none"> 1. That the need for and remit of the Staff and Support Services Committee and other Committees should be reviewed as recommended as part of the comprehensive review of the Constitution. 2. That a Member Working Group be established to undertake the review of the remit of Committees and any other aspect of the Constitution as is deemed appropriate by the Staff and Support Services Committee. 3. That the Borough Solicitor is tasked to undertake a comprehensive review of the Constitution and to produce a report by the 30th September 2010 for consideration by the Staff and Support Services Committee. 	30 th September 2010	Borough Solicitor & AD Human Resources
<p>R5. Review constitutionally whether 'key decisions' made by committees should be subject to similar procedural and notification requirements as those made by Cabinet.</p>		
<ol style="list-style-type: none"> 1. That consideration as to whether there should be procedural and notification requirements for decisions made by Committees which are similar to the procedures for "key decisions" to be included as part of the comprehensive review of the Council's Constitution. 2. That the Borough Solicitor is tasked to undertake a comprehensive review of the Constitution and to produce a report by the 30th September 2010 for consideration by the Staff and Support Services Committee. 	30 th September 2010	Borough Solicitor

Recommended Action	Due Date	Lead officer
R26. Develop guidance on the circumstances when it may be appropriate to record the number of people voting for, against and abstaining. This might apply in sensitive matters, and exempt proceedings might be expected to be sensitive.		
Recommended Action	Due Date	Lead officer
As part of the review of the Constitution, develop guidance on the circumstances in which it might be appropriate to record the names of those Members voting for, against or abstaining from the decision on any item of business.		

Action Plan in response to Review Working Group Report

<p><u>Recommendation 4</u> That the Council sets up an Appointments Committee to make recommendations to the Council on appointments to posts which are required to be made by the Council with Terms of Reference which include recommending a preferred candidate to Council for approval following a full interview and assessment process being carried out by the Appointments Committee.</p>		
Recommended Action	Due Date	Lead Officer
Report on this recommendation to be prepared for consideration by the Staff and Support Services Committee	30 th September 2010	Assistant Director Human Resources
<p><u>Recommendation 5</u> That the Council amends the Council Rules of Procedure to require that the appointment of any Statutory Officer (Head of Paid Service, Section 151 Officer and Monitoring Officer) should be approved by 2/3rds of the Members who are present at the meeting and voting.</p>		
Recommended Action	Due Date	Lead Officer
Report on this recommendation to be prepared for consideration by the Staff and Support Services Committee	30 th September 2010	Assistant Director Human Resources / Borough Solicitor
<p><u>Recommendation 8</u> That the Council reviews the membership and functions of the JNC Disciplinary Committee to ensure that they are consistent with the guidance in the 2009 version of the JNC for Local Authority Chief Executives (National Salary Framework and Conditions of Service).</p>		
Recommended Action	Due Date	Lead Officer
Include, within the report of the review of the Council's Constitution, recommended revisions to the membership and functions of the JNC Disciplinary Committee to reflect the 2009 version of the JNC for Local Authority Chief Executives (National Salary Framework and Conditions of Service).	30 th September 2010	Borough Solicitor

<p><u>Recommendation 13</u> That the Standards Committee be asked to undertake a review of the Protocol for Member / Officer Relations to ensure that it reflects best practice.</p>		
<p>Recommended Action</p>	<p>Due Date</p>	<p>Lead Officer</p>
<p>Request the Standards Committee to review the Protocol for Member / Officer relations as specified in the recommendation.</p>	<p>30th September 2010</p>	<p>Borough Solicitor</p>