

## APPENDIX D

### ANNUAL REVIEW OF THE CONSTITUTION – SUMMARY OF REVISED CONTENTS AND CHANGES

	Title (and summary of subject matter)	Summary of changes
<b>Part 1 – Sections</b>	<b><u>Constitutional Arrangements</u></b>	
1	<b>Constitution:</b> (Purpose, Structure, Review, Interpretation, Access, Definitions)	Senior Leadership Team membership and job titles clarified
2	<b>Members of Council:</b> (Council composition, Role and Functions of Members, Appointments, Allowances)	2.1 amended to reflect next elections are in 2022 not 2021
3	<b>Citizens and the Constitution:</b> (Citizens' rights, Voting and petitions, Accessing Information, Complaints, Citizen's Responsibilities)	No change
4	<b>Full Council</b> <ul style="list-style-type: none"> <li>• <b>Arrangements:</b> (Form and Composition, Functions &amp; Responsibilities, Full Council Meetings, Time and Place of Full Council Meetings, Description of Executive Arrangements)</li> <li>• <b>Procedural Rules:</b> (Election of Chairs and Vice-Chairs, Chair's Powers and Full Council Meetings, Quorum, Full Council Meeting Business Plan, Proposals Requisitioned by Members, Public Question Time [including Treatment of Small Petitions] , Treatment of Large Petitions, Leader and Cabinet Member Reports – Member Questions, Overturning Council Decisions, Proposals and Amendments not Requiring Notice, Voting, Minutes, Record of Attendance, Exclusion of the Public, Members' Right to Speak, Members' Conduct, Disturbance by the Public, Suspension and Amendment of Council Meeting Rules)</li> </ul>	<p>4.2.1 clarification of the annual appointment of Chair and Vice Chair and also the appointment of the Leader of the Council</p> <p>4.3 clarification that Annual General Meeting is usually held in May</p> <p>4.4 recognition that council meetings may be also held in any such place as the Council may decide and recognising the potential for virtual / hybrid meetings subject to legislative requirements being met</p> <p>4.5 clarification that only an elected member may be appointed to the roles of Chair and Vice-Chair and this is usually done at the Annual General Meeting</p> <p>4.8 new proposal to clarify the duration of a Council meeting.</p> <p>4.10 clarification that any requisitioned items should be submitted 10 calendar days before the meeting</p>

		<p>4.17.2 amendment to recognise other ways that members can demand a recorded vote such as in the instance of a virtual / hybrid meeting where it is difficult to see 11 members standing at a meeting</p> <p>4.19 clarification that in a hybrid / virtual meeting the Monitoring Officer will make a record in the minutes of the meeting of all Members that attended</p> <p>4.21.2 clarification that there is not a right for Members to speak when they are named during debate at a meeting as the rights are those set out in 4.21.2 (a) and 4.21.2 (b)</p> <p>4.22.1 amended to also reflect virtual / hybrid meeting situations</p> <p>4.23 amended to also reflect virtual / hybrid meeting situations</p>
5	<p><b>Leader and Cabinet: Arrangements:</b> (Leader, Deputy Leader and Cabinet Appointments, Functions and Responsibilities of the Leader, Decision-making Responsibilities and Functions of the Cabinet, Allocation of Service Responsibilities and Decision making Responsibilities to Cabinet Members – Summary, Allocation of Decision making Responsibilities to Cabinet Members, Traffic Regulation Order Sub-Committee, Somerset Waste Board, Sub-delegation of Executive Responsibilities, Cabinet meeting arrangements, Cabinet Decision-making Arrangements)</p>	<p>5.2.2 Clarification of ability to make interim SLT appointments to cover absences / vacancies that arise this is further reflected in section 7.1.4</p> <p>5.8.2 Somerset Waste Board membership amended to reflect Somerset West and Taunton Council</p>
6	<p><b>Council Committees Arrangements</b> (Committees of the Council, Committee Appointments, Committee Chairs &amp; Vice-Chairs, Substitution on Committees, Meeting Dates, Committee Business – Public Involvement, Non-committee Member Involvement in Committee Meetings)</p>	<p>6.1.4 clarification that substitution is not allowed for co-opted members</p> <p>6.1.5 recognition that committee meetings may be also held in any such place as the Council may decide and recognising the potential for virtual / hybrid meetings subject to legislative requirements being met</p>
6A	<p><b>Scrutiny for Policies and Places Committee / Scrutiny for Policies, Children and Families Committee / Scrutiny for Policies, Adults and</b></p>	<p>6.2.1 clarification of functions for Scrutiny Place in relation to council services and Scrutiny Adults &amp; Health in terms of Healthwatch referrals</p>

	<p><b>Health Committee</b> (Functions, Form and Composition, Joint Health Scrutiny, Quorum, Committee Business, Call-in of Key Decisions, Referral of Non-Key Member Decisions)</p>	<p>6.2.3 amended to reflect 8 members for each of the Scrutiny committees and <b>proposal to change in Scrutiny Children and Families Committee co-opted member membership (same number of total co-opted members)</b></p> <p>6.2.9 clarification that any requests for urgent implementation of Member Non-Key decisions require the approval of the Leader of the Council and the Chair of the relevant Scrutiny Committee (same process as for key decisions)</p>
6B	<p><b>Decision-making Committees (Regulation, Pensions, Audit, HR Policy, Officer Appeals, Constitution and Standards Committees and the Somerset Health and Well-being Board):</b> (Functions, Form and Composition, Quorum, Committee Business, Reporting)</p>	<p>6.3.2 clarification that 8 members of the Regulation Committee and that appropriate training must be completed by any members taking part in decision making.</p> <p><b>6.6 Renaming of HR Policy Committee to Human Resources Committee and consequent changes wherever current HR Policy Committee is referenced</b></p> <p>6.8.3 amended to clarify quorum is 3 elected members</p>
6C	<p><b>Somerset Pensions Board</b></p>	<p>No change</p>
6D	<p><b>Code of Conduct Hearing Panel Arrangements</b></p>	<p>No change</p>
7	<p><b>Officer Arrangements</b> (Appointment of Officers, Dismissal [including Redundancy] of Officers or other Disciplinary Action], Officer Employment – Mandatory Standing Orders)</p>	<p><b>7.5 Addition of Returning Officer statutory role to the Chief Executive</b></p>
8	<p><b>Decision Making:</b> (Principles of Decision-making, Types of Decision, Human Rights Issues, Decisions on the Budget and Policy Framework [includes Mandatory Standing Orders], Council and Cabinet Scheme of Delegation to Officers, Decision- making Access to Information Procedure Rules)</p>	<p>8.4 clarification on the Scheme of Delegation to Officers</p> <p><b>8.5.1 insertion of Chief Executive in addition to SLT Officers, addition of the Prevent Duty and Corporate Landlord requirements</b></p>

		<p>8.5.2 clarification on key functions and powers of the Chief Executive as the Head of Paid Service</p> <p>8.5.3 clarification on key functions and powers of the Director of Finance as the Chief Finance Officer</p> <p>8.5.4 clarification on key functions and powers of the Monitoring Officer including several procedural matters and <b>proposal to agree to the calendar of meeting dates, times and places for Committees, Sub-Committees, Internal, Partnership and external bodies in consultation with the relevant Chairs</b></p> <p>8.5.5 reordering of statutory post of the Director of Children’s Services along with the other statutory posts</p> <p>8.5.6 reordering of statutory post of Director of Adult Social Services along with the other statutory posts</p>
<b>Part 2 - Sections</b>	<b><u>Codes and Protocols (appendices to the Constitution)</u></b>	
A	<b>Financial Regulations</b>	No change
B	<b>Contract Standing Orders</b>	No change
C	<b>Code of Conduct for Members and Co-opted Members</b>	No change
D	<b>Scheme of Members’ Allowances</b>	No change
E	<b>Code of Practice – Commons Registration, Planning Control, Rights of Way</b>	No change
F	<b>Protocol on Members’ Access to Information and Other Confidential Issues</b>	No change
G	<b>Member / Officer Protocol 2014</b>	No change
H	<b>Members’ Role Descriptions</b>	No change
I	<b>Somerset County Council Recording Protocol: Third Party Recording of Committees, Boards</b>	No change

	<b>and Panels</b>	
J	<b>Tell Local Councillor (TLC)</b>	No change
K	<b>Appointment of Honorary Aldermen and Alderwomen</b>	No change
L	<b>Scrutiny Task and Finish Group Protocol</b>	No change
M	<b>Officer Code of Conduct</b>	No change
N	<b>Officer Scheme of Delegation</b>	No change
O	<b>Whistleblowing Policy</b>	No change