

REVIEW OF THE CONSTITUTION – INTERIM CONSTITUTION FOR 2022/23

SUMMARY OF REVISED CONTENTS AND CHANGES

	Title (and summary of subject matter)	Summary of changes
Part 1 – Sections	<u>Constitutional Arrangements</u>	
1	Constitution: (Purpose, Structure, Review, Interpretation, Access, Definitions)	No change at this stage. Will review as part of work to be done to develop the 2023/24 Constitution for new Somerset Council
2	Members of Council: (Council composition, Role and Functions of Members, Appointments, Allowances)	2.1 Reference to 55 members revised to 110 members
3	Citizens and the Constitution: (Citizens’ rights, Voting and petitions, Accessing Information, Complaints, Citizen’s Responsibilities)	No change at this stage. Will review as part of work to be done to develop the 2023/24 Constitution for new Somerset Council
4	Full Council <ul style="list-style-type: none"> • Arrangements: (Form and Composition, Functions & Responsibilities, Full Council Meetings, Time and Place of Full Council Meetings, Description of Executive Arrangements) • Procedural Rules: (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) 	4.1 Reference to 55 members revised to 110 members 4.18 – clarification that minutes from a previous meeting not to be signed at an extraordinary meeting 4.24.1 – amended to propose at least 73 (two-thirds of membership) of the 110 members are present
5	Leader and Cabinet Arrangements: (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)	Revisions required to include responsibilities of the executive for Local Government Reorganisation transitional arrangements for 2022/23 in accordance with the Somerset Structural Change Order 2022

6	Council Committees Arrangements (Committees of the Council, Committee Appointments, Committee Chairs & Vice-Chairs, Substitution on Committees, Meeting Dates, Committee Business – Public Involvement, Non-committee Member Involvement in Committee Meetings)	
6A	Scrutiny for Policies and Places Committee / Scrutiny for Policies, Children and Families Committee / Scrutiny for Policies, Adults and Health Committee (Functions, Form and Composition, Joint Health Scrutiny, Quorum, Committee Business, Call-in of Key Decisions, Referral of Non-Key Member Decisions)	<p>Scrutiny proposals for Local Government Reorganisation Programme being reviewed for 2022/23.</p> <p>Addition of new Scrutiny Committee for Policies, Environment</p> <p>Size of committees and quorum revised following comparative work with other similar size councils</p>
6B	Decision-making Committees (Regulation, Pensions, Audit, HR Policy, Officer Appeals, Constitution and Standards Committees and the Somerset Health and Well-being Board): (Functions, Form and Composition, Quorum, Committee Business, Reporting)	<p>Proposed replacement of Constitution and Standards Committee with a new Constitution & Governance Committee and a new Standards Committee</p> <p>Size of committees and quorum revised following comparative work with other similar size councils</p>
6C	Somerset Pensions Board	No change at this stage. Will review as part of work to be done to develop the 2023/24 Constitution for new Somerset Council
6D	Code of Conduct Hearing Panel Arrangements	No change at this stage. Will review as part of work to be done to develop the 2023/24 Constitution for new Somerset Council
7	Officer Arrangements (Appointment of Officers, Dismissal [including Redundancy] of Officers or other Disciplinary Action], Officer Employment – Mandatory Standing Orders)	No change at this stage noting that this will be reviewed as part of work for 2023/24 Constitution for Somerset Council
8	Decision Making: (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)	No change at this stage. Will review as part of work to be done to develop the 2023/24 Constitution for new Somerset Council

Part 2 - Sections	<u>Codes and Protocols (appendices to the Constitution)</u>	
A	Financial Regulations	No change at this stage noting that this will be reviewed as part of work for 2023/24 Constitution for Somerset Council
B	Contract Standing Orders	No changes proposed as recently revised in February 2022. Will review as part of work to be done to develop the 2023/24 Constitution for new Somerset Council
C	Code of Conduct for Members and Co-opted Members	No changes proposed as recently revised in February 2022. Will review as part of work to be done to develop the 2023/24 Constitution for new Somerset Council
D	Scheme of Members' Allowances	No changes proposed as recently revised in February 2022. Will review as part of work to be done to develop the 2023/24 Constitution for new Somerset Council
E	Code of Practice – Commons Registration, Planning Control, Rights of Way	No change at this stage. Will review as part of work on 2023/24 Constitution for new Somerset Council especially with the additional district council planning and regulatory functions from 1 April 2023
F	Protocol on Members' Access to Information and Other Confidential Issues	No change at this stage. Will review as part of work to be done to develop the 2023/24 Constitution for new Somerset Council
G	Member / Officer Protocol	Revised protocol proposed
H	Members' Role Descriptions	No change at this stage noting that unitary councillor role description already developed for inclusion in 2023/24 Constitution for Somerset Council
I	Somerset County Council Recording Protocol: Third Party	Revised protocol to reflect new ways of working and the Council's

	Recording of Committees, Boards and Panels	webcasting of its principal public meetings
J	Tell Local Councillor (TLC)	No change at this stage. Will review as part of work to be done to develop the 2023/24 Constitution for new Somerset Council
K	Appointment of Honorary Aldermen and Alderwomen	No change at this stage. Will review as part of work to be done to develop the 2023/24 Constitution for new Somerset Council.
L	Scrutiny Task and Finish Group Protocol	No change at this stage. Will review as part of work to be done to develop the 2023/24 Constitution for new Somerset Council
M	Officer Code of Conduct	No change at this stage. Will review as part of work to be done to develop the 2023/24 Constitution for new Somerset Council
N	Officer Scheme of Delegation	No change at this stage noting that work is being undertaken during 2022/23 to ensure district council functions are reflected
O	Whistleblowing Policy	Revised policy proposed following consultation with Constitution & Standards Advisory Board
P	Glossary	New addition to aid transparency and understanding of the Constitution

	Guidance: <i>Gifts and Hospitality guidance for Members</i> <i>Social Media guidance for Members</i>	New guidance documents
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