

APPENDIX - SUBSTANTIVE CHANGES TO NOTTINGHAM CITY COUNCIL CONSTITUTION – MAY 2008

ISSUE	PROPOSED CHANGE	CONSTITUTION REFERENCE	DESCRIPTION OF CHANGE
<p>Development of Council's Overview and Scrutiny function</p>	<p>To update the Core Constitution to reflect the changes proposed to the Overview and Scrutiny Structure.</p>	<p>Core Constitution page 8 (paragraph 1.8),</p>	<p>1.8 OVERVIEW AND SCRUTINY</p> <p>The scrutiny of executive decisions is an essential element in the effective governance of the Council and the scrutiny function has wide-ranging powers under the Local Government Act 2000 to examine policy development, executive decisions and matters of wider local concern. The National Health Service Act 2006, the Police and Justice Act 2006 and the Local Government and Public Involvement in Health Act 2007 have included provisions to increase its statutory role to undertake overview and scrutiny activity in relation to National Health Service bodies, those authorities responsible for crime and disorder functions and named partner organisations in relation to local improvement targets.</p> <p>Members who are not on the Executive are charged with keeping an overview of Council business and City concerns and scrutinising areas of particular interest or concern. Their role is to hold the Executive to account, when deemed necessary, in the business they undertake and also to assist in the development and review of Council policy. The latter task involves In pursuit of their role Overview and Scrutiny Members may looking in detail at areas of service delivery or issues of general concern in the City and make ing recommendations to the Executive, or to the whole Council, and, on occasion, or to outside organisations, and this may – this could include suggestions for improvements or different ways of doing things. As stated above, the Council must also ensure that overview and scrutiny arrangements are in place to undertake has a statutory responsibilities, including to scrutinise the scrutiny of substantial developments or variations in NHS services, this latter responsibility and this is undertaken by the Health and Adult Social Care Select Committee Scrutiny Panel or by the Joint City and/ County Health Scrutiny Committee. Where a substantial variation or development is proposed which affects services provided on a regional basis, scrutiny of these will be undertaken by a Joint Regional Health Scrutiny Committee.</p> <p>The Full Council has established an Overview and Scrutiny Committee that oversees the scrutiny function. This is chaired by the councillor with lead responsibility for this function and the vice chair has specific responsibilities for the scrutiny of health services and chairing the Health Scrutiny Panel. The Chair of the Overview and Scrutiny Committee holds a principal role in the Council's policy development and review process.</p>

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			<p>Proposed amendments to existing Constitution provisions are set out below with any additions being highlighted in bold type and any deletions being shown with a line striking out redundant provisions. In those instances where completely new terms of reference or revised protocols are proposed, a complete copy has been detailed.</p> <p>The Overview and Scrutiny Committee</p> <ul style="list-style-type: none"> (a) oversees and manages the Council’s overview and scrutiny function, setting terms of reference and membership for its standing panels; (b) oversees and manages the Council’s overview and scrutiny programme to an annual plan; (c) commissions reviews from its Committees standing panels and task and finish panels, setting terms of reference, membership and timescales as necessary, and may undertake reviews itself, if considered necessary, in respect of policy development, executive decisions and matters of wider local concern; (d) ensures that all responsibilities placed upon overview and scrutiny bodies are carried out, including holding the executive to account, undertaking a policy development and review role and scrutinising and making recommendations on matters which are the responsibility of the Council and on concerns or areas of interest in the wider City; (e) manages the call-in process in accordance with the Overview and Scrutiny Rules in appendix 6(i) of the Core Constitution and may, for this purpose, appoint a sub-committee with delegated powers. <ul style="list-style-type: none"> • All scrutiny bodies have authority under the Council’s Overview and Scrutiny Procedure Rules to invite people other than Council members and officers to attend meetings on a regular or occasional basis to give evidence, answer questions, discuss issues of local concern and/or act in an advisory role.
<p>Development of Council’s Overview and Scrutiny function</p>	<p>Executive Board – Terms of Reference To update the Executive Board Terms of Reference to reflect the changes proposed to the Overview and Scrutiny Structure.</p>	<p>Core Constitution page 19 (paragraph 2.7(a)) and Appendix 6 (c) Page 9 – Terms of Reference for Executive Board</p>	<p>Additional provision</p> <p>(vii) to respond to reports or recommendations received from Overview and Scrutiny Committees within two months of receipt and to publish the response if the report or recommendation has been published, excepting when reports or recommendations have been received by individual members of the Executive, in which case the responsibility to respond and publish lies with that individual.</p>

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Development of Council's Overview and Scrutiny function	To update the Core Constitution to reflect the changes proposed to the Overview and Scrutiny Structure.	Core Constitution page 22 paragraph (m)	<p>Proposed amendments to existing Constitution provisions are set out below with any additions being highlighted in bold type and any deletions being shown with a line striking out redundant provisions. In those instances where completely new terms of reference or revised protocols are proposed, a complete copy has been detailed.</p> <p>m) Partnership (Joint Forums)</p> <p>Elected members and officers of the Council carry out many of their duties and responsibilities in partnership with other organisations, which may include other local authorities, other public sector service providers, private companies and voluntary or community sector organisations. A number of the partnerships that the authority participates in have statutory responsibilities to discharge, whereas others are formed voluntarily where there is perceived to be a benefit to be achieved by working in co-operation with others.</p> <p>Many officers and Members will see the work that they do with partnerships as being part of their job with the Council, but to differing degrees they may become involved in the management or running of partnerships and in decisions about use or allocation of resources, whether or not they call themselves Directors, Committee Members or Trustees.</p> <p>Examples of partnership arrangements include</p> <ul style="list-style-type: none"> • City Health and Social Care Commissioning Body • Joint City and County Health Scrutiny Committee • Joint East Midlands Health Scrutiny Committee • Joint Planning and Transportation Committee • Greater Nottingham Light Rapid Transit Advisory Committee • City Centre Working Group
Development of Council's Overview and Scrutiny function	To update Appendix 6 (c) to reflect changes proposed to the Overview and Scrutiny Structure	Appendix 6 (c) page 3 paragraph, 1.4 (Consequential changes are also required to titles of Committee in paragraphs 1.7 and 1.8)	1.4 Up to six substitutes may be appointed by each political group for each committee, sub-committee or panel etc, with the exception of those for which substitutes are not permitted. In the case of the Overview and Scrutiny Committee, the substitutes for the Chairs of the Select Committees, who all sit on that committee, shall include the Vice-Chairs and other members of that Select Committee.

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<p>Development of Council's Overview and Scrutiny function</p>	<p>To amend the Terms of Reference for the Overview and Scrutiny Committee</p>	<p>Appendix 6 (c) page 14 – 17</p>	<p>Proposed amendments to existing Constitution provisions are set out below with any additions being highlighted in bold type and any deletions being shown with a line striking out redundant provisions. In those instances where completely new terms of reference or revised protocols are proposed, a complete copy has been detailed.</p> <p>Powers/Remit</p> <ul style="list-style-type: none"> (a) Oversees and manages the Council's overview and scrutiny function, setting terms of reference and membership for its committees standing panels and task and finish panels; (b) Oversees and manages the Council's overview and scrutiny programme to an annual plan; (c) To have Specific responsibility for the overview and scrutiny of major corporate strategies, policies and documents and for areas of service provision or matters or wider local concern not provided for elsewhere and to make reports and recommendations to the Executive, the Authority or the responsible body on the work undertaken;including strategic housing and community safety; (d) Responsibility for scrutinising all performance and resources issues, including the outcomes of corporate inspections, and for referring identified concerns to select committees for consideration; (e) Responsibility for scrutinising performance against all Local Area Agreement targets, and for referring identified concerns to select committees for consideration; (f) Establishes task and finish panels to undertake reviews, setting terms of reference, membership and timescales as necessary; (c) Commissions reviews from its standing panels, setting terms of reference, membership and timescales as necessary, and may undertake reviews itself, if considered necessary, in respect of policy development, executive decisions and matters of wider local concern; (g) Ensures that all responsibilities placed upon overview and scrutiny bodies are carried out, including holding the Executive to account, undertaking a policy development and review role and scrutinising and making recommendations on matters which are the responsibility of the Council and on concerns or areas of interest in the wider City; (h) manages the call-in process in accordance with the Overview and Scrutiny Rules in Appendix 6(i) of the

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			<p>Proposed amendments to existing Constitution provisions are set out below with any additions being highlighted in bold type and any deletions being shown with a line striking out redundant provisions. In those instances where completely new terms of reference or revised protocols are proposed, a complete copy has been detailed.</p> <p style="text-align: center;">Core Constitution and may, for this purpose, appoint a sub-committee with delegated powers;</p> <p>* All scrutiny bodies have authority under the Overview and Scrutiny Procedure Rules to invite people other than Council members and officers to attend meetings on a regular or occasional basis to give evidence, answer questions, discuss issues of local concern and/or act in an advisory role.</p> <p>Accountable to Council</p> <p>Meetings Normally 11 per annum, but there must be at least 3 per annum.</p> <p>Eligibility for Membership In addition to the Chair of the Committee him/herself (who will normally be appointed at Annual Council) membership of the committee shall include the Chairs of the Standing Panels Select Committees and, within the overall membership, at least two representatives from the main minority groups with the appointment of such other members to the Committee as is required to maintain political balance. Membership must not include members of the Executive Board.</p> <p>Established sub-committees</p> <ul style="list-style-type: none"> • Call-in Sub-Committee • Community Wellbeing Select Committee • Health and Adult Social Care Select Committee • Regeneration and Sustainability Select Committee • Young Nottingham Select Committee • Task and Finish Panels which are assigned specific reviews (only 3 operating at any one time, except in exceptional circumstances) • Performance and Resources Standing Panel • Children and Young People Standing Panel • Regeneration, Infrastructure and Sustainability Standing Panel • Health Scrutiny Standing Panel • Serving the Adult Community Standing Panel

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<p>Development of Council's Overview and Scrutiny function</p>	<p>Community Wellbeing Select Committee</p> <p>The purpose of including the proposed Terms of Reference for the Community Wellbeing Select Committee is to provide members with a full picture of the revised Overview and Scrutiny Structure being proposed. Approval of all Select Committee proposed Terms of Reference will be the responsibility of the Overview and Scrutiny Committee that will convene at the rising of full Council.</p>	<p>Appendix 6 (c)</p> <p>pages 19 – 22</p>	<p>Proposed amendments to existing Constitution provisions are set out below with any additions being highlighted in bold type and any deletions being shown with a line striking out redundant provisions. In those instances where completely new terms of reference or revised protocols are proposed, a complete copy has been detailed.</p> <p>Generic</p> <ul style="list-style-type: none"> (a) In accordance solely with a work programme agreed by the Overview and Scrutiny Committee and in clear pursuance of corporate priorities and objectives as set out in the Corporate Plan and other plans as are relevant to their work, or of issues of particular concern within their remits:- <ul style="list-style-type: none"> (i) to review the implementation of policy; (ii) to contribute to the development of policy and; (iii) to scrutinise decisions made or actions taken; (iv) to undertake reviews on areas within the Committee's panel's remit and make reports and recommendations to the Executive, the Authority or the responsible body on the work undertaken; (b) to undertake or commission research and consultation and to receive evidence from such sources as are appropriate to fulfil the role set out above; (c) to report to the Overview and Scrutiny Committee within any timescales determined by that Committee; (c) if required by the Overview and Scrutiny Committee, to consider matters referred to and validated by the Call-In Sub Committee; (d) to invite people other than Council members and officers to attend meetings of panels committees on a regular or occasional basis to give evidence, answer questions, discuss issues of local concern and/or act in an advisory role. <p>Specific</p> <ul style="list-style-type: none"> (a) to discharge the functions of a crime and disorder committee within the overview and scrutiny function as provided for in the Police and Justice Act 2006, to include the scrutiny of the Crime and Drugs Partnership and decisions made by the responsible authorities for crime and disorder; (b) to undertake the overview and scrutiny role in relation to:-

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<p>Development of Council's Overview and Scrutiny function</p>	<p>Young Nottingham Select Committee</p> <p>The purpose of including the proposed Terms of Reference for the Young Nottingham Select Committee is to provide members with a full picture of the revised Overview and Scrutiny Structure being proposed. Approval of all Select Committee proposed Terms of Reference will be the responsibility of the Overview and Scrutiny Committee that will convene at the rising of full Council.</p>	<p>Appendix 6 (c)</p> <p>pages 23 – 26</p>	<p>Proposed amendments to existing Constitution provisions are set out below with any additions being highlighted in bold type and any deletions being shown with a line striking out redundant provisions. In those instances where completely new terms of reference or revised protocols are proposed, a complete copy has been detailed.</p> <p>Generic</p> <p>(a) In accordance solely with a work programme agreed by the Overview and Scrutiny Committee and in clear pursuance of corporate priorities and objectives as set out in the Corporate Plan and other plans as are relevant to their work, or of issues of particular concern within their remits:-</p> <p>(i) to review the implementation of policy;</p> <p>(ii) to contribute to the development of policy and;</p> <p>(iii) to scrutinise decisions made or actions taken;</p> <p>(iv) to undertake reviews on areas within the committee's panels-remit and make reports and recommendations to the Executive, the Authority or the responsible body on the work undertaken;</p> <p>(b) to undertake or commission research and consultation and to receive evidence from such sources as are appropriate to fulfil the role set out above;</p> <p>(c) to report to the Overview and Scrutiny Committee within any timescales determined by that Committee</p> <p>(c) if required by the Overview and Scrutiny Committee, to consider matters referred to and validated by the Call-In Sub Committee;</p> <p>(d) to invite people other than Council members and officers to attend meetings of panels on a regular or occasional basis to give evidence, answer questions, discuss issues of local concern and/or act in an advisory role.</p> <p>Specific</p> <p>(a) To undertake the overview and scrutiny role in relation to:-</p> <p>(i) All services for children and young people, including educational matters;</p> <p>(ii) Corporate priorities for children and young people and the five outcomes for children;</p> <p>(iii) Children's Trust style arrangements;</p> <p>(iv) Children and Young People's health and social care;</p>

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<p>Development of Council's Overview and Scrutiny function</p>	<p>Regeneration and Sustainability Select Committee</p> <p>The purpose of including the proposed Terms of Reference for the Regeneration and Sustainability Select Committee is to provide members with a full picture of the revised Overview and Scrutiny Structure being proposed. Approval of all Select Committee proposed Terms of Reference will be the responsibility of the Overview and Scrutiny Committee that will convene at the rising of full Council.</p>	<p>Appendix 6 (c)</p> <p>pages 27 – 29</p>	<p>Proposed amendments to existing Constitution provisions are set out below with any additions being highlighted in bold type and any deletions being shown with a line striking out redundant provisions. In those instances where completely new terms of reference or revised protocols are proposed, a complete copy has been detailed.</p> <p>Generic</p> <p>(a) In accordance solely with a work programme agreed by the Overview and Scrutiny Committee and in clear pursuance of corporate priorities and objectives as set out in the Corporate Plan and other plans as are relevant to their work, or of issues of particular concern within their remits:-</p> <p>(i) to review the implementation of policy;</p> <p>(ii) to contribute to the development of policy and;</p> <p>(iii) to scrutinise decisions made or actions taken;</p> <p>(iv) to undertake reviews on areas within the panel's Committee's remit and make reports and recommendations to the Executive, the Authority or the responsible body on the work undertaken;</p> <p>(b) to undertake or commission research and consultation and to receive evidence from such sources as are appropriate to fulfil the role set out above;</p> <p>(c) to report to the Overview and Scrutiny Committee within any timescales determined by that Committee.</p> <p>(c) if required by the Overview and Scrutiny Committee, to consider matters referred to and validated by the Call-In Sub Committee;</p> <p>(d) to invite people other than Council members and officers to attend meetings of panels on a regular or occasional basis to give evidence, answer questions, discuss issues of local concern and/or act in an advisory role.</p> <p>Specific</p> <p>(a) To undertake the overview and scrutiny role in relation to:-</p> <p>(i) the infrastructure of the city, including transport systems, the built environment and strategic housing;</p> <p>(ii) climate change and sustainability;</p> <p>(iii) the commercial sector, investment and skills;</p> <p>(iv) City centre arts, cultural and leisure facilities in relation to inward investment;</p> <p>(iv) Nottingham as a Core City, a European City and a regional centre;</p>

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<p>Development of Council's Overview and Scrutiny function</p>	<p>Health and Adult Social Care Select Committee</p> <p>The purpose of including the proposed Terms of Reference for the Health and Adult Social Care Select Committee is to provide members with a full picture of the revised Overview and Scrutiny Structure being proposed. Approval of all Select Committee proposed Terms of Reference will be the responsibility of the Overview and Scrutiny Committee that will convene at the rising of full Council.</p>	<p>Appendix 6 (c)</p> <p>pages 30 – 33</p>	<p>Proposed amendments to existing Constitution provisions are set out below with any additions being highlighted in bold type and any deletions being shown with a line striking out redundant provisions. In those instances where completely new terms of reference or revised protocols are proposed, a complete copy has been detailed.</p> <p>Generic</p> <ul style="list-style-type: none"> (a) In accordance solely with a work programme agreed by the Overview and Scrutiny Committee and in clear pursuance of corporate priorities and objectives as set out in the Corporate Plan and other plans as are relevant to their work, or of issues of particular concern within their remits:- <ul style="list-style-type: none"> (ii) to review the implementation of policy; (ii) to contribute to the development of policy and; (iii) to scrutinise decisions made or actions taken; (iv) to undertake reviews on areas within the panel's Committee's remit and make reports and recommendations to the Executive, the Authority or the responsible body on the work undertaken; (b) to undertake or commission research and consultation and to receive evidence from such sources as are appropriate to fulfil the role set out above; (c) to report to the Overview and Scrutiny Committee within any timescales determined by that Committee. (c) if required by the Overview and Scrutiny Committee, to consider matters referred to and validated by the Call-In Sub Committee; (d) to invite people other than Council members and officers to attend meetings of panels on a regular or occasional basis to give evidence, answer questions, discuss issues of local concern and/or act in an advisory role. <p>Specific</p> <ul style="list-style-type: none"> (a) To undertake the Council's statutory role in scrutinising health services for the City. (b) To undertake the overview and scrutiny role in relation to:- <ul style="list-style-type: none"> (i) the provision, accessibility and outcomes of health services and/or medical interventions for all sectors of the community; (ii) the provision, accessibility and outcomes of adult social care services;

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		None.	
Development of Council's Overview and Scrutiny function	Serving the Adult Community Standing Panel and Performance and Resources Standing Panel.	Appendix 6 (c) pages 34 – 36	Delete Terms of Reference for the Serving the Adult Community Standing Panel and Performance and Resources Standing Panel
Development of Council's Overview and Scrutiny function	Overview and Scrutiny Task and Finish Panel The purpose of including the proposed Terms of Reference for the Task and Finish Panels is to provide members with a full picture of the revised Overview and Scrutiny Structure being proposed. Approval of all Select Committee proposed Terms of Reference will be the responsibility of the Overview and Scrutiny Committee that will convene at the rising of full Council.	Appendix 6 (c) page 37	<p>These are time limited bodies whose terms of reference are determined on an individual basis in relation to the topic being scrutinised.</p> <p>Accountable to Overview and Scrutiny Committee</p> <p>Meetings As required. There are normally no more than 3 Task and Finish Panels operating at any one time.</p> <p>Eligibility for Membership Members must not include members of the Executive Board.</p> <p>The Chair and membership is normally appointed by the Overview and Scrutiny Committee. Where a vacancy occurs during the life of the panel or if the Committee does not make an appointment, the Chair is appointed by the Panel itself.</p> <p>Membership Determined on an individual basis and politically balanced.</p> <p>Established sub committees None</p>

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<p>Development of Council's Overview and Scrutiny function</p>	<p>To amend the Terms of Reference for the Joint City and County Health Scrutiny Committee to reflect the proposed new structure for Overview and Scrutiny</p>	<p>Appendix 6 (c) page 38</p>	<p>Power/Remit</p> <p>To scrutinise health matters which impact on the Greater Nottingham area (i.e. both the Nottingham City Council area and the Broxtowe, Gedling, Hucknall and Rushcliffe areas of Nottinghamshire) to include the statutory health scrutiny role in relation to those health services which serve the conurbation of Greater Nottingham</p> <p>Where an NHS Trust operates in an area wider than the Greater Nottingham area, the Joint Committee will scrutinise any health matter that affects the Greater Nottingham area and the wider area (as far as the County boundary) but will defer to the relevant City or County Health Scrutiny Committee if requested by that health scrutiny committee.</p> <p>Accountable to Council</p> <p>Meetings Normally 11 per annum</p> <p>Eligibility for Membership 8 City Councillors who cannot be members of the Executive Board. The Committee also includes 8 non-executive members of the County Council and co-opted representatives of Ashfield, Broxtowe, Gedling and Rushcliffe district councils.</p> <p>Established sub committees None</p>
<p>Development of Council's Overview and Scrutiny function</p>	<p>To amend the Responsibilities for Functions section of the Constitution to reflect the new structure being proposed for Overview and Scrutiny.</p>	<p>Appendix 6(d) Responsibilities for Functions</p> <p>Page 11 (paragraph f)</p>	<p>(f) The following responsibilities are reserved only for the Overview and Scrutiny Committee:</p> <ul style="list-style-type: none"> (i) To oversee and manage the Council's overview and scrutiny function, setting terms of reference and membership for its panels committees and task and finish panels; (ii) To oversee and manage the Council's overview and scrutiny programme to an annual plan; (iii) To have specific responsibility for the overview and scrutiny of major corporate policies, performance and resource issues and for areas of service provision not provided for elsewhere including strategic housing and community safety;

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			<p>Proposed amendments to existing Constitution provisions are set out below with any additions being highlighted in bold type and any deletions being shown with a line striking out redundant provisions. In those instances where completely new terms of reference or revised protocols are proposed, a complete copy has been detailed.</p> <p>(iv) To establish and commission reviews from task and finish panels, setting terms of reference, membership and timescales as necessary, and to undertake reviews itself, if considered necessary, in respect of policy development, executive decisions and matters of wider local concern;</p> <p>(v) To ensure that all responsibilities placed upon overview and scrutiny bodies are carried out, including holding the executive to account, undertaking a policy development and review role and scrutinising and making recommendations to the Executive, the Authority or the responsible body on the work undertaken on matters which are the responsibility of the Council and on concerns or areas of interest in the wider City;</p> <p>(vi) To manage the call-in process in accordance with the Overview and Scrutiny Rules in appendix 6(i) of the Core Constitution and may, for this purpose, appoint a sub-committee with delegated powers.</p>
<p>Development of Council's Overview and Scrutiny function</p>	<p>To amend the role and responsibilities for Chairs and Vice-Chairs of Overview and Scrutiny to reflect the new structure being proposed.</p>	<p>Appendix 6 (f) Roles and Responsibilities</p> <p>Page 25</p> <p>(Consequential changes are also required to reflect changes to titles of Committees on page 24 of Appendix 6 (f) of the Constitution</p>	<p>Chairs of Overview and Scrutiny and Select Committees</p> <p>1. The role of Chair is to promote the overall development of the overview and scrutiny function as well as having responsibility for their own committee. These responsibilities include:-</p> <p>(i) chairing and managing meetings, including ensuring that high standards of conduct and courtesy are maintained;</p> <p>(ii) working with the appropriate member of the overview and scrutiny team to decide on the business to be undertaken at each meeting, the methods to be employed and agreeing the agenda;</p> <p>(iii) leading the committee in prioritising committee work;</p> <p>(iv) coordinating work with other overview and scrutiny bodies and chairs;</p> <p>(v) ensuring the remit and timescale for each review topic is clear (scoping), taking into account resources and workload;</p> <p>(vi) ensuring all members are engaged in the work and have the opportunity to contribute and be heard;</p> <p>(vii) keeping Members focussed on the topic; making sure witnesses and officers are introduced to the panel and are treated with courtesy and consideration;</p> <p>(viii) liaising with Executive Members in a systematic way on both scrutiny and policy matters which are relevant to their portfolios;</p> <p>(ix) working with the overview and scrutiny review coordinator on final reports following a major review;</p>

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<p>Development of Council's Overview and Scrutiny function</p>	<p>To amend the Overview and Scrutiny Procedure Rules to reflect the new structure being proposed.</p>	<p>Appendix 6 (i) Procedures</p> <p>Page 15-20</p> <p>(Consequential changes to titles of Committees are required on Pages 22 and 29)</p>	<p>Overview and Scrutiny Procedure Rules</p> <p>1 Arrangements for Overview and Scrutiny Bodies</p> <p>The Council appoints the Overview and Scrutiny Committee which appoints Overview and Scrutiny Panels Select Committees (together called the Committees and Panels).</p> <p>2 Terms of Reference</p> <p>The terms of reference of the Committees and Panels are set out in Appendix 6(C).</p> <p>3 Who may sit on the Committees and Panels?</p> <p>All councillors except members of the Executive Board may be members of the Committees and Panels. However, no member may be involved in scrutinising a decision in which he/she has been directly involved. Membership is set out in Appendix 6(C).</p> <p>4 Meetings of the Committees and Panels</p> <p>There must be at least three meetings of each of the Committees and each Panel in each year. In addition, meetings may be called from time to time as and when appropriate by the Chair of the committees or a panel and by the Corporate Director of Corporate Services Resources.</p> <p>5 Quorum</p> <p>The quorum for meetings of the Committees and Panels shall be three.</p> <p>6 Who chairs Committee and Panel meetings?</p> <p>The Chairs of the Committees and Panels is are normally appointed at Annual Council. Where an in-year vacancy occurs, or Council does not make an appointment, the Chair is appointed by the Overview and Scrutiny Committee or Panel Select Committee concerned. The allocation of chairs of Select Committees standing panels to political groups will be determined on a year by year basis.</p>

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			<ul style="list-style-type: none"> (ii) minutes of the last meeting; (iii) consideration of any matter referred to the committee under the call-in procedure; (iv) the business otherwise set out on the agenda for the meeting. <p>(b) Where the Committee or a Task and Finish Panel conducts investigations they may also ask people to attend to give evidence at Committee and Panel meetings, which are to be conducted in accordance with the following principles:</p> <ul style="list-style-type: none"> (i) that the investigation be conducted fairly and all members of the Committee or Panel be given the opportunity to ask questions and to contribute and speak; (ii) that those assisting the Committee or Panel by giving evidence be treated with respect and courtesy; and (iii) that the investigation be conducted so as to maximise the efficiency of the investigation or analysis. <p>(c) Following any investigation or review, the Committee or Panel shall prepare a report for presentation to a portfolio holder, submission to the Executive Board and/or Council as appropriate and shall make its report and findings public. The Committee or Panel shall endeavour to reach consensus whenever possible.</p> <p>N.B. A more detailed protocol for the operation of overview and scrutiny is available from the Overview and Scrutiny Team (tel: 0115 915 4511).</p>

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<p>Establishment of an Audit Committee</p>	<p>To establish an Audit Committee and to delete the former Accounts Committee</p>	<p>Appendix 6 (c) Terms of Reference page 3 para 1.8, page 12 & 13, page 77</p>	<p>Powers/Remit</p> <ol style="list-style-type: none"> 1. The main purposes of the Committee is to:- <ol style="list-style-type: none"> (1) provide assurance of the adequacy of the Risk Management Framework and the associated control environment; (2) scrutinise the Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk and weakens the control environment; (3) oversee the financial reporting process; (4) approve the Council's Statement of Accounts, both "subject to audit" and the final document. 2. Its functions include the following:- <ol style="list-style-type: none"> (1) reviewing the mechanisms for the assessment and management of risk; (2) approving the Council's statement of accounts, both 'subject to audit' and the final document; (3) receiving the Council's reports on the Statement on Internal Control and the Annual Governance Statement and recommending their adoption; (4) approving Internal Audit's strategy, planning and monitoring performance; (5) receiving the Annual Report and other reports on the work of internal Audit; (6) considering the external auditor's annual letter, relevant reports and the report to those charged with governance; (7) considering arrangements for and the merits of operating quality assurance and performance management processes; (8) considering the exercise of officers statutory responsibilities and of functions delegated to officers. <p>Accountable to Council</p> <p>Meetings Normally 6 per annum</p> <p>Eligibility for membership 8 non-executive Members, politically balanced 6:1:1</p>

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Establishment of City Centre Area Committee	To establish a new City Centre Area Committee and to delete the former City Centre Working Group	Core Constitution Page 22, para (m) and Appendix 6 (c) Terms of Reference Page 60-62	Powers/Remit (a) To oversee the provision of services within the City Centre; (b) To make arrangements to consult with interested parties on matters of concern and interest that impact on the City Centre; (c) To identify the operational needs and priorities of the commercial sector, local residents and other interested parties with regard to the City Centre and bring these to the attention of service providers; (d) to build partnerships and develop links between public, private, voluntary and community organisations and local residents (e) to prepare, implement and monitor a city centre action plan; (d) To ensure coordination of the Council’s relevant plans and to provide direction and scrutiny for specific area management operations; (e) To appoint task groups, as necessary, to facilitate the operation of the Committee. (f) To consider those crime and anti-social behaviour issues which need to be coordinated and addressed on a City Centre basis which are not being dealt with through other processes. (g) To promote the improvement of the environmental well being of their area. (h) To contribute to priorities, work programmes and variations in performance standards, including through Transforming Neighbourhood processes, in respect of the following services:- (a) Footpaths replacement; (b) Street Lighting; (c) Patch maintenance; (d) Grounds maintenance on community parks and playgrounds; (i) In respect of services in the local area, and if urgent, via a panel of the Chair, Vice-Chair, and opposition member, be consulted upon:- (a) Housing environmental improvements;

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			<p>(b) Highway environmental improvements of a local nature;</p> <p>(c) Minor traffic schemes, diversions and closures under highways and road traffic legislation, of a local nature;</p> <p>(d) Applications for footpath closures on grounds of amenity or development;</p> <p>(e) Licensing applications;</p> <p>(f) Strategic planning applications;</p> <p>(g) Schools re-organisation;</p> <p>(h) Detailed proposals for landscaping, open space provision, park equipment provision and other local enhancements relating to agreements under section 106 of the Town and Country Planning Act 1990 and section 278 of the Highways Act 1980;</p> <p>(J) To be part of the process for monitoring and scrutinising the performance of local services (provided by the Council and other bodies) and provide feedback and recommendations on their effectiveness to the Executive Board and Overview and Scrutiny Committee, to include refuse collection, Housing (void properties) and Community Safety;</p> <p>(k) To advise the Executive Board and Overview and Scrutiny Committee on local needs and priorities and on the impact of Council policy on the area.</p> <p>(l) To input local needs and priorities identified through area working, to the preparation of corporate budgets, policies and strategies.</p> <p>(m) To prepare, implement and review local projects in consultation with local communities.</p> <p>(n) To build partnerships between other public, private, voluntary and community organisations, local residents' and tenants' associations.</p> <p>(o) To suggest and/or approve proposals of significance to rationalise the City Council's operational property holdings and to be consulted on any proposals to dispose of operational property holdings in their area of significance.</p> <p>(p) In consultation with adjacent Area Committees to make appointments to outside bodies (where the body relates to the area concerned) as specified by the Executive Board.</p> <p>(q) To approve any matters delegated from time to time by Council or the Executive Board.</p> <p>(g) to be accountable to the Nottingham Crime and Disorder Reduction Partnership for the monitoring and</p>

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<p>Revised Protocol for the operation of a Joint Planning and Transportation Committee in Greater Nottingham –</p>	<p>To adopt a revised protocol to govern the operation of the Joint Planning and Transportation Committee in Greater Nottingham</p>	<p>Appendix 6 (c) Terms of Reference</p> <p>Page 70 – 75</p>	<p>Proposed amendments to existing Constitution provisions are set out below with any additions being highlighted in bold type and any deletions being shown with a line striking out redundant provisions. In those instances where completely new terms of reference or revised protocols are proposed, a complete copy has been detailed.</p> <p>(1) Nottinghamshire County Council and Nottingham City Council (Unitary) established a Joint Committee between the two Authorities to advise on strategic planning and transport matters in Greater Nottingham in April 1998.</p> <p>(2) The protocol agreed between the two Authorities on the establishment and operation of the Joint Committee (agreed February 2000) required a two yearly review, to ensure it remained relevant to the needs of the Joint Committee.</p> <p>Role</p> <p>(3) The role of the Joint Committee is to advise the County Council and City Council on strategic planning and transport matters taking account of the best interests of the whole of Greater Nottingham.</p> <p>Responsibilities</p> <p>(4) The Joint Committee will be responsible for providing advice on regional, sub-regional and strategic planning and on transport matters including the following:</p> <ul style="list-style-type: none"> (a) Preparation, review, modification and monitoring of strategic planning advice to the Regional Planning Body; (b) Conformity of Local Development Documents, as agreed with the Regional Planning Body, and strategic planning and transport comments on Draft Development Plans prepared by other Local Planning Authorities; (c) The implementation of the Greater Nottingham elements of the 3 Cities and 3 Counties Growth Point, including the preparing of bids for funding, agreeing programmes for implementation and keeping the implementation of the Growth Point under review; (d) Co-ordination of policies and management for minerals and waste matters, including joint Local Development Documents; (e) Greater Nottingham Local Transport Plan; (f) Strategic issues arising from the management of the Traffic Control Centre; (g) Strategic issues arising from Public Transport Operations, including Bus Quality Partnerships and the development of the Nottingham Express Transit;

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<p>Officer Employment Procedure Rules (Standing Orders on Employment Matters) – Revisions</p>	<p>To amend the Officer Employment Procedure Rules to reflect recent changes in job titles and to more closely reflect the provisions of the Local Authorities (Standing Orders) Regulations 2001 and to reduce the risk of equal pay liabilities being created.</p>	<p>Appendix 6 (I) Procedures</p> <p>Pages 33 - 38</p>	<p>1. General Human Resource Management</p> <p>1.1 The Chief Executive has overall corporate management and operational responsibility, including overall management responsibility for all staff (save as otherwise provided in these rules). This includes the function of appointment, dismissal and disciplinary action.</p> <p>1.2 Corporate Directors have delegated powers on human resource matters within their Directorates but must take decisions subject to relevant national and local conditions of service and policies of the Council. Before any decisions relating to remuneration and benefits which are outside the Council's established policies, are approved by the relevant Corporate Director or Deputy Chief Executive, written approval must be obtained from the Director of Human Resources.</p> <p>1.3 Save as provided in these rules, Corporate Directors may delegate their powers and responsibilities to appropriate Directors and Managers.</p> <p>2. Officer Appointments</p> <p>Appointments of Chief Executive and Corporate Directors</p> <p>2.1 The Appointments and Conditions of Service Committee is responsible for undertaking the appointment process for the Chief Executive, Deputy Chief Executive and Corporate Directors and for making recommendations to full Council having ascertained the views of the Executive Board in accordance with Local Authority (Standing Orders) (England) Regulations 2001.</p> <p>In such cases, the Director, Human Resources will ensure that:</p> <p>(i) a job description and person specification is drawn up that specifies the duties of the officer concerned and qualifications or qualities to be sought in the person to be appointed;</p>

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<p>Officer Employment Procedure Rules (Standing Orders on Employment Matters) – Revisions</p>	<p>Appointments and Conditions of Service Committee – Terms of Reference</p> <p>To amend the Terms of Reference to reflect those proposed changes to the Officer Employment Procedure Rules</p>	<p>Appendix 6 (c) Terms of Reference</p> <p>Pages 49 – 50</p> <p>And repeated in the</p> <p>Core Constitution</p> <p>Pages 17-19</p>	<p>Proposed amendments to existing Constitution provisions are set out below with any additions being highlighted in bold type and any deletions being shown with a line striking out redundant provisions. In those instances where completely new terms of reference or revised protocols are proposed, a complete copy has been detailed.</p> <p>The terms of reference of the Committee are:-</p> <ul style="list-style-type: none"> (a) to undertake the appointment process in respect of the Chief Executive, Deputy Chief Executive and Corporate Directors (long listing, short listing and formal interview) and, subject to having ascertained the views of the Executive Board in accordance with Standing Orders, to make recommendations to Council; (b) to determine the terms and conditions of City Council employees and procedures for disciplinary action and dismissal; (c) to designate proper officers; (d) to designate officers as Head of Paid Service, Section 151 Officer and as Monitoring Officer and to ensure the provision of sufficient staff and other resources; (e) to exercise any other personnel functions which cannot be the responsibility of the Executive; (f) to receive reports on action taken in respect of terms agreed for the Chief Executive, Deputy Chief Executive, Corporate Directors and Services Directors leaving the employment of the Council where those terms included compensation; (g) to determine redundancies and efficiency retirements for Corporate Directors and Services Directors and to determine efficiency retirement for the Chief Executive; determines redundancies, terminations of employment (retirement) on the grounds of business efficiency, terminations of employment under the 85 year rule, ill-health retirements and flexible retirements, the exercise of discretions relating to redundancy and in the interests of the efficient exercise of the Council's functions (under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 and any exercise of discretions to increase total LGPS membership and award additional LGPS membership for the Deputy Chief Executive, Corporate Directors, and Directors. The Committee also determines terminations of employment (retirement) on the grounds of business efficiency, terminations of employment under the 85 year rule, ill-health retirements and flexible retirements ,the exercise of discretions relating to redundancy and in the interests of the efficient exercise of the Council's functions under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 and any exercise of discretions to increase total LGPS membership and award additional LGPS membership for the Chief Executive

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<p>Officer Employment Procedure Rules (Standing Orders on Employment Matters) – Revisions</p>	<p>To amend the Core Constitution to reflect those proposed changes to the Officer Employment Procedure Rules and Terms of Reference for Appointments of Conditions of Service Committee</p>	<p>Core Constitution</p> <p>Pages 29-31</p> <p>Paragraph 5</p>	<p>5. HUMAN RESOURCES AND APPOINTMENTS</p> <p>This section covers the following issues:</p> <ul style="list-style-type: none"> -General Human Resource Management (5.1) -Appointments (5.4) -Dismissals/Disciplinary Action (5.7) -Transfers/Secondments (5.13) <p>5.1 GENERAL HUMAN RESOURCE MANAGEMENT</p> <p>5.2 The Chief Executive has overall corporate management and operational responsibility, including overall management responsibility for all staff.</p> <p>The Chief Executive shall have power to develop and implement restructuring proposals for the City Council's management structure, provided that he/she shall not do so, or commence formal consultation with affected staff and trade unions on significant restructuring proposals until he/she has, first, submitted the proposals to the Appointments and Conditions of Service Committee and obtained that Committee's approval to them.</p>

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			<p>5.7 DISMISSALS / DISCIPLINARY ACTION</p> <p>5.8 Power is delegated to the Chief Executive to determine voluntary redundancies and efficiency retirements for all staff with the exception of Corporate Directors and Directors. Power is delegated to the Chief Executive to determine voluntary redundancies, terminations of employment(retirement) on the grounds of business efficiency, terminations of employment under the 85 year rule, ill-health retirements and flexible retirements, ,the exercise of discretions relating to redundancy and in the interests of the efficient exercise of the Council’s functions (under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 and any exercise of discretions to increase total LGPS membership and award additional LGPS membership for all staff with the exception of Deputy Chief Executive, Corporate Directors and Directors.</p> <p>5.9 The Chief Executive is responsible for the dismissal of the Deputy Chief Executive, Corporate Directors and, either the Chief Executive, Deputy Chief Executive or Corporate Director nominated by the Chief Executive is responsible for the dismissal of Directors taking into account any concerns of the Leader or any member of the Executive Board having consulted nominated members (as set out below) before any formal action is taken. The Chief Executive is also responsible for taking other disciplinary action against the Deputy Chief Executive and Corporate Directors and either the Chief Executive, Deputy Chief Executive or Corporate Director nominated by the Chief Executive is responsible for other disciplinary action against Directors again having consulted nominated members before any formal action is taken.</p> <p>5.10 The majority and opposition group(s) will each nominate one Elected Member who will be kept informed and consulted in matters relating to potential formal disciplinary and capability issues concerning the Chief Executive, Deputy Chief Executive, Corporate Directors and Directors.</p> <p>5.11 Where disciplinary or capability issues are identified concerning the Chief Executive, involving invoking a formal procedure where there is a likelihood of considering suspension or dismissal, the Leader of the Council should brief the nominated Elected Members (as set out above) and the Director, Human Resources before any action is taken. Approval of Full Council is required before notice of dismissal can be given to the Chief Executive.</p> <p>5.12 Where there are proposals for the Chief Executive, Deputy Chief Executive, Corporate Directors or Directors to leave the employment of the Council on terms which include compensation, such proposals must be subject to consultation with the nominated Elected Members (as set out above) and a report submitted to the next meeting of the Appointments and Conditions of Service Committee.</p>

APPENDIX - SUBSTANTIVE CHANGES TO NOTTINGHAM CITY COUNCIL CONSTITUTION – MAY 2008

ISSUE	PROPOSED CHANGE	CONSTITUTION REFERENCE	DESCRIPTION OF CHANGE
			<p>Proposed amendments to existing Constitution provisions are set out below with any additions being highlighted in bold type and any deletions being shown with a line striking out redundant provisions. In those instances where completely new terms of reference or revised protocols are proposed, a complete copy has been detailed.</p> <p>5.13 TRANSFERS / SECONDMENTS</p> <p>Where there are proposals for Corporate Directors or Directors to be transferred or temporarily seconded to manage other directorates or divisions, nominated Elected Members (as set out above) should be informed before the arrangements are agreed.</p> <p>* The information contained within this section should be cross referenced with appendix 6 (C) [Terms of Reference of the Appointments and Conditions of Service Committee] and appendix 6 (i) Procedures [Officer Employment]</p>
Local Area Agreement – Local Choice delegation to Executive Board	To delegate the responsibility for approving a draft Local Area Agreement to the Executive Board	Appendix 6 (d) Responsibility for Functions Page 14	Add responsibility for approving the draft Local Area Agreement as a Local Choice function for the Council's Executive Board.
Policy Framework - amendments	As a result of legislation and government guidance it is proposed that the Youth Justice Plan and Best Value Performance Plan be removed from the policy framework	Core Constitution Page 14 (para 2.4) Appendix 6 (c) Terms of Reference page 5	Remove reference to the Youth Justice Plan and Best Value Performance Plan from the list of policy framework items.
Key Decision definition – correction	To correct an anomaly that exists in the definition of a key decision contained in the Core Constitution.	Core Constitution Page 19 (para 2.7 (b))	<p>An anomaly has come to light in the definition of a key decision in the core constitution and its definition in Appendix 6 (d) Responsibility for Functions. In the latter, a key decision is correctly defined as an executive decision which is likely:-</p> <p>(i) to result in the Council incurring expenditure or making income or savings of more than £500,000 revenue, taking account of the impact for a full year; or £1,000,000 capital (see section 3 for explanation of revenue and capital expenditure);</p> <p>(ii) to be significant in terms of its effects on communities living or working in an area consisting of two or more wards in the City.</p>

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			<p>Proposed amendments to existing Constitution provisions are set out below with any additions being highlighted in bold type and any deletions being shown with a line striking out redundant provisions. In those instances where completely new terms of reference or revised protocols are proposed, a complete copy has been detailed.</p>
			<p>However, in the Core Constitution the words 'or income' have been omitted from the definition included in the Core Constitution. Approval is sought to correct this anomaly.</p>