

Chichester District Council

Corporate Governance

July 2022

Governance Arrangements

1. Contacts

Chair of Corporate Governance Committee

Corporate Governance Committee Chairman – Cllr Francis Hobbs

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Report Author

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2. Recommendation

That the Corporate Governance Committee:

- 2.1 Note changes to the Constitution carried out in the period 2021-2022.

3. Background

- 3.1 This Committee directed the Monitoring Officer to report annually as to the amendments to the Constitution carried out by him under his delegation to make relevant minor changes.

4. Outcomes to be Achieved

- 4.1 Constitutional and other processes to be transparent to members and oversight of the use of Monitoring Officer discretion to be considered in public meeting.

5. Changes in 2021-22

- 5.1 All changes are listed in the Constitution itself, at the front page with a short explanation of each for public transparency.
- 5.2 In January 2022 to ensure consistency with nationally used financial definitions reference to “virement” was amended in Part 4, section 4.3 in accordance with changes to procurement regulations post Brexit by the Monitoring Officer under his discretion.
- 5.3 To follow up some changes to business routing panel at Cabinet in April 2022, Part 4 reference to the panel was updated to show correct names of amended membership of the panel and amended terms of reference approved by Cabinet. This was not under Monitoring Officer discretion and is included for completeness.

5.4 In April 2022 the articles of the Constitution at Part 2 were clarified to show job titles changed elsewhere in the Constitution or otherwise for particular posts under the Monitoring Officer discretion to do so.

5.5 Whilst member allowances are set locally by the Independent Remuneration Panel, some elements are set at a national level and are updated with inflation. In May 2022 the members allowance scheme was updated to apply new national subsistence rates as provided under **regulation 19 of the Local Authorities (Members Allowances) (England) Regulations 2003** (as amended) and the Monitoring Officer updated the Constitution to reflect those changes under his discretion to do so.

6. Alternatives Considered

6.1 None

7. Resource and Legal Implications

7.1 The Council is required to have procedures including a Constitution which is fit for purpose and lawful. The changes made outlined at section 5 enable effective, lawful decision making and effective operation of the activity of the Council.

8. Consultation

8.1 No consultation on changes under Monitoring Officer discretion occur. If the Monitoring Officer considers a change may not properly

9. Community Impact and Corporate Risks

9.1 There are significant risks if governance is not strong and effective.

10. Other Implications

Are there any implications for the following? If you tick "Yes", list your impact assessment as a background paper in paragraph 13 and explain any major risks in paragraph 9		
	Yes	No
Crime and Disorder The Council has a duty "to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area". Do the proposals in the report have any implications for increasing or reducing crime and disorder?		No
Climate Change and Biodiversity Are there any implications for the mitigation of/adaptation to climate change or biodiversity issues? If in doubt, seek advice from the Environmental Strategy Unit (ESU).		No
Human Rights and Equality Impact You should complete an Equality Impact Assessment when developing new services, policies or projects or significantly changing existing ones. For more information, see Equalities FAQs and guidance on the intranet or contact Corporate Policy.		Not relevant

<p>Safeguarding and Early Help The Council has a duty to cooperate with others to safeguard children and adults at risk. Do these proposals have any implication for either increasing or reducing the levels of risk to children or adults at risk? The Council has committed to dealing with issues at the earliest opportunity, do these proposals have any implication in reducing or increasing demand on Council services?</p>		No
<p>General Data Protection Regulations (GDPR) Does the subject of the report have significant implications for processing data likely to result in a high risk to the rights and freedoms of individuals? Processing that is likely to result in a high risk includes (but is not limited to):</p> <ul style="list-style-type: none"> • systematic and extensive processing activities and where decisions that have legal effects – or similarly significant effects – on individuals. • large scale processing of special categories of data or personal data relation to criminal convictions or offences. • Any larger scale processing of personal data that affects a large number of individuals; and involves a high risk to rights and freedoms eg based on the sensitivity of the processing activity. • large scale, systematic monitoring of public areas (including by CCTV). <p>Note - If a high risk is identified a Privacy Impact Assessment must be provided to the Data Protection Officer.</p>		No
<p>Health and Wellbeing The Council has made a commitment to ‘help our communities be healthy and active’. You should consider both the positive and negative impacts of your proposal on the health and wellbeing of communities and individuals living and working in the district. Is your proposal likely to impact positively or negatively on certain groups and their ability to make healthy choices, for example low income families, carers, older people/children and young people. Are there implications that impact on areas of the district differently? eg the rural areas or those wards where health inequalities exist. If in doubt ask for advice from the Health and Wellbeing team.</p>		No
<p>Other (please specify)</p>		

11. Appendices

11.1 None

12. Background Papers

None, though members and the public are able to view the Constitution on the Council web page which includes all the information provided in this report.