

Open Report on behalf of Richard Wills, Monitoring Officer

Report to:	County Council
Date:	16 September 2016
Subject:	Changes to the Constitution

Summary:

This Report seeks approval for changes to the Officer delegations set out in the Constitution to reflect realignment of responsibilities following the departure of the Executive Director for Public Health and Community Wellbeing.

Recommendation(s):

The Council approves the changes to Part 2 and Part 3 of the Council's Constitution set out in Appendix A and B respectively to take effect from 17 October 2016

1. Background

- 1 Dr Tony Hill, the Council's Executive Director of Community Wellbeing and Public Health will be leaving the Council on 16 October 2016.
- 2 The Chief Executive has accordingly made provision for Dr Hill's management responsibilities to be taken on by other Executive Directors. The arrangements can briefly be described as follows
 - Responsibilities for Registration, Celebratory and Coroner's Services will transfer to the Executive Director of Finance and Public Protection
 - Responsibilities for Community Assets and Resilience including community engagement and development and libraries and heritage and archive services will transfer to the Executive Director for Environment and Economy
 - Responsibilities relating to health and wellbeing will transfer to the Director of Adult Care to be re-designated as Executive Director for Adult Care and Community Wellbeing. It is proposed that this will include line management responsibility for a post of Director of Public Health which would fulfil the role of the statutory Director of Public Health for the purposes of the Council's responsibilities under section 73A of the National Health Service Act 2006. The post of Director of

Public Health would report to the Chief Executive in relation to the fulfilment of the statutory post.

- 3 In addition to the above, the opportunity has been taken to realign management responsibility for the Youth Offending Service from the Executive Director of Finance and Public Protection to the Executive Director of Children's Services.
- 4 Changes need to be made to the exercise of Dr Hill's delegated authority under the Constitution following his departure to ensure the continued efficient operation of the Council. In addition, amendments are needed to reflect the changes set out in paragraph 3 above.
- 5 Amendments have been made to two areas of the Constitution. The first of these is changes to Article 9 in Part 2 which deals with Officers. These changes include amendments to the areas of responsibility of Chief Officers to reflect the changes referred to in paragraphs 2 and 3. These changes are attached at Appendix A to this Report.
- 6 The second set of changes is to Part 3 (Responsibility for Functions). These changes realign the delegated authorities of officers to reflect the management responsibilities referred to in paragraphs 2 and 3 and the changes to the post of Director of Public Health. These changes are attached at Appendix B to this Report.
- 7 The changes are not considered to have any impacts on people with a protected characteristic under the Equality Act 2010. The changes do not impact directly on services although they do ensure continuity of decision-making and therefore the efficiency of the Council's operations. Insofar as the powers covered by the changes impact on child poverty health and wellbeing and reducing crime and disorder the impact of ensuring continuity of decision-making on those matters is considered to be positive.

2. Conclusion

- 1 The Council is asked to approve the changes to the Constitution set out in Appendix A and Appendix B to reflect a realignment of responsibilities among Chief Officers following the departure of the Executive Director of Community Wellbeing and Public Health.

3. Legal Comments:

The Council has a duty to appoint an individual to be Director of Public Health to have responsibility for the exercise of functions specified in that Act and Regulations made under it.

The decision on changes to the Constitution is reserved to the full Council and the decision is therefore within the remit of the full Council.

4. Resource Comments:

There are no material financial implications arising from acceptance of the recommendation in this report.

5. Consultation

a) Has Local Member Been Consulted?

n/a

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

This matter has not been the subject of scrutiny

d) Policy Proofing Actions Required

See the main body of the Report

6. Appendices

These are listed below and attached at the back of the report	
Appendix A	Constitution Changes - Part 2 - Articles
Appendix B	Constitution Changes - Part 3 - Responsibility for Functions

7. Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
The Council's Constitution	Democratic Services

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