



Cabinet

Report for:	Cabinet
Title of report:	Constitutional update – Scheme of Delegation and Financial Regulations
Date:	23 rd March 2023
Report on behalf of:	Councillor Graeme Elliott, Portfolio Holder for Corporate Services
Part:	I
If Part II, reason:	N/A
Appendices:	None
Background papers:	None
Glossary of acronyms and any other abbreviations used in this report:	None

Report Author / Responsible Officer

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Corporate Priorities	A clean, safe and enjoyable environment Building strong and vibrant communities Ensuring economic growth and prosperity Providing good quality affordable homes, in particular for those most in need
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	<p>Ensuring efficient, effective and modern service delivery</p> <p>Climate and ecological emergency</p>
Wards affected	All
Purpose of the report:	<ol style="list-style-type: none"> 1. To seek approval to a change to the Scheme of Delegation as set out in paragraph 2 of the report 2. To seek approval to the changes to the Financial Regulations as set out in paragraph 3 of the report
Recommendation (s) to the decision maker (s):	<ol style="list-style-type: none"> 1. That Cabinet recommends that Council agrees to the change to the Scheme of Delegation as set out in paragraph 2 of the report. 2. That Cabinet recommends that Council agrees to the change to the Financial Regulations as set out in paragraph 3 of the report.
Period for post policy/project review:	The Constitution is kept under continuous review by the Monitoring Officer and updates are proposed to Council when required.

1 Introduction

- 1.1 The Monitoring Officer is under a continuous duty to review the Constitution to ensure that it is up to date and provides an appropriate governance framework for all Council decision making.
- 1.2 Proposals for change may be prompted not only by formal internal reviews, but also by the Monitoring Officer, the Cabinet, other Members or officers and by public opinion.
- 1.3 The changes proposed to the Scheme of Delegation are required to ensure that there is sufficient resilience in the officer group to make decisions relation to Electoral Registration and Elections.
- 1.4 The changes proposed to the Financial Regulations are required to assign appropriate financial authorisation limits to the post of Chief Housing Officer.

2 Changes to the Scheme of Delegation

- 2.1 As a result of changes brought in by the Elections Act 2022, further requirements were introduced in relation to voter identification and Voter Authority Certificates (VACs). On polling day, temporary VACs have to be authorised by the Electoral Registration Officer (ERO) who is appointed by Council. This role is performed by the Chief Executive or the appointed deputy, the Assistant Director, Legal and Democratic Services.
- 2.2 Temporary VACs require a wet signature by the ERO and may need to be issued up to 10pm on polling day. Therefore, a wider group of officers will be required to issue temporary VACs and this needs to be authorised in the Constitution. It is therefore proposed to add the roles of Elections Team Leader and Electoral Services Lead Officer as deputy EROs who can stand in and sign temporary VACs in the absence of the Chief Executive or Assistant Director, Legal and Democratic Services.

3 Financial Regulations

- 3.1 A review of the financial regulations was undertaken following recent officer restructures to ensure the right approval processes and limits were in place.
- 3.2 This review highlighted the need to change the financial approval limit of the new Chief Housing Officer post. The housing function has many business as usual contracts that have large financial values. To ensure the accurate review and approval of these payments is undertaken by the service, it is felt this post requires a financial approval level in line with the current strategic directors.
- 3.3 The proposal is to increase the financial approval level of the Chief Housing Officer post to £1m.

4 Consultation

- 4.1 The Portfolio Holder for Corporate Services who has overall responsibility for Elections and Finance has been consulted and agrees to the changes proposed in this report.

4.2 The Chief Executive and the Chief Housing Officer have been consulted and agree to the proposed changes to the financial regulations.

5 Financial and value for money implications:

5.1 The proposed changes to the Scheme of Delegation will ensure that the Council can operate efficiently on polling day.

5.2 The changes to the Financial Regulations are not expected to have a financial impact on the Council. This change will provide the Chief Housing Officer greater ownership and oversight of the approval of third party housing service delivery.

6 Legal Implications

6.1 The proposed changes to the Scheme of Delegation will ensure that the Council's electoral processes are lawful and correctly authorise the changes in the Elections Act 2022.

6.2 If Council approves the changes, the Constitution will be updated to reflect the agreed change.

7 Risk implications:

This report proposes minor changes to the Constitution including the Financial Regulations so there are no risks associated to this part of the decision.

8 Equalities, Community Impact and Human Rights:

There are no equalities, community impact of human rights implications arising from this report.

9 Sustainability implications.

There are no sustainability implications arising from this report.

10 Council infrastructure (including Health and Safety, HR/OD, assets and other resources)

There are no implications arising from this report.

11 Statutory Comments

Monitoring Officer:

The proposed changes will ensure that the Constitution remains up to date and reflects relevant statutory requirements.

S151 Officer:

The proposed changes will provide increased consistency and oversight of the housing contracts overseen by the Chief Housing Officer.

12 Conclusions:

The report proposes minor changes the Constitution including the Financial Regulations and are recommended for Cabinet to refer to Council for approval.