

## COUNCIL CONSTITUTION REVIEW

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### 1.0 INTRODUCTION

This report considers proposed changes to the Council Constitution.

The Council generally reviews the Constitution annually and various changes are proposed which take into consideration decisions agreed by Council since the last review, updated terminology, documents and job titles. This review also addresses issues arising from any decision in relation to agreement by Council for remote participation in meetings and the incorporation of virtual and hybrid meeting and webcasting provisions into the council's formal meeting arrangements.

An overview of key changes is provided at Appendix 1.

### 2.0 RECOMMENDATIONS

2.1 The Council is invited to agree to the adjustments to the Constitution as follows:

- a) To update Part A of the Constitution to reflect current terminology, key document references, changes in Strategic Management Team working arrangements and job titles as set out in Appendix 1.
- b) To agree to amend Part B in respect of Standing Orders for Meetings as set out in Appendix 1, which facilitates arrangements for remote participation on a virtual and/or hybrid basis and webcasting of key strategic meetings subject to installation of appropriate technology and noting that the practical elements of these arrangements will be subject to a further report to Council in November.
- c) To amend Part C, Scheme of Delegations as set out in Appendix 1.
- d) To amend Part D, Financial and Security Regulations, to incorporate changes in the appointment of the Chief Financial Officer, the arrangements for risk management and the updated Procurement Manual as previously agreed by Council and set out in Appendix 1.

- e) To note the updated Procurement Manual as previously agreed by Council in February 2021 has been inserted at Part E, Contract Standing Orders and as set out in Appendix 1.
- f) To amend Part F, Ethical Framework to reflect revisions to Executive Director job Titles, insertion of the Public Interest Disclosure (Whistleblowing) Policy as a standalone document and any decision made by Council in respect of virtual/hybrid meetings as set out in Appendix 1.

### **3.0 DETAIL**

- 3.1 The proposed changes to the constitution are driven generally by incorporating updates in respect of decisions previously agreed by Council. It also includes updated terminology, documents and job titles as set out in Appendix 1.
- 3.2 The Council has recently invested in the technology to support virtual and hybrid meetings as well as live streaming (webcasting) and this will be the subject of a further report to Council in November 2021. In order to make provision for Council and Strategic Committee meetings to operate on a virtual and/or hybrid basis and for these meetings to be webcast as appropriate this will require adjustments to the Constitution in general and specifically Standing Orders as set out in Appendix 1. The Council is therefore requested to give consideration to incorporating these adjustments into the Constitution where appropriate to facilitate any decision in relation to remote participation in meetings and livestreaming.
- 3.3 In addition to the annual review amendments to the Constitution will be considered in the event of any potential alterations to operational and procedural requirements.

### **4.0 CONCLUSION**

- 4.1 The proposed changes will address issues arising since the last revision in September 2020. It also incorporates proposed changes to the Constitution in light of any Council agreement to make provision for Council and Strategic Committee meetings to operate on a virtual/hybrid basis and for these meetings to be webcast as appropriate.
- 4.2 Council is recommended to agree the adjustments to the Constitution as outlined in Appendix 1 to ensure the Constitution remains up-to-date and facilitates the operation of regulatory functions.

### **5.0 IMPLICATIONS**

- 5.1 Policy – These revisions will keep the Constitution up to date.
- 5.2 Financial - None
- 5.3 Legal - None
- 5.4 HR - None

- 5.5 Fairer Scotland Duty - None
- 5.5.1 Equalities – protected characteristics – The provisions have no adverse impact in terms of equality issues and have the potential to enhance accessibility in respect of remote participation proposals.
- 5.5.2 Socio-economic Duty - None
- 5.5.3 Islands - None
- 5.6 Risk - None
- 5.7 Customer Service - None

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## **APPENDICES**

Appendix 1: Review of Constitution 2021 – Summary of Key Changes