

BRECKLAND COUNCIL

Changes to Constitution

A. AS A RESULT OF DECISION FOR JOINT MANAGEMENT WITH SHDC

[Note: These alterations will come into effect immediately on approval by Council.]

ARTICLES:

1. Page 14: Delete reference to “three Strategic Directors” and refer only to Director of Commissioning, (other than Chief Executive and Deputy Chief Executive).

DELEGATIONS (Part 3)

2. Page 23 – Delegations to General Purposes Committee
 - i. After ‘Personnel’ delete reference to “Staffing Panel” i.e. substitute reference to Joint Appointments Committee and Joint Appointment Appeals Committee.
 - ii. Delete reference to and powers of members’ disciplinary panel.
3. Page 24: No. 4 – Committee Delegations
 - (1) Delete “Staff Appointments Panel” and replace with agreed terms of reference for Joint Appointments Committee and Joint Appointments Appeals Committee.
 - (2) Amend terms of reference of Joint Appointments Appeals Committee in order to widen powers to apply to all appeals from Joint Appointments Committee i.e. to read “Determining appeals from relevant persons in respect of decisions of the Joint Appointments Committee”.
4. Page 36: Officer Delegations
 - i. No 1: Definition of Chief Officer: Delete “Strategic Directors” and substitute “Any other Director (but not including Assistant Directors)”
 - ii. Change in pages 36 to 44 “Strategic Director” to “Director” (This change applies through the Constitution.)
 - iii. Page 43 : Data Protection: Designate Assistant Director – Democratic Services as Data Protection Officer.
 - iv. Page 39 : Powers of Chief Executive and Chief Officers for appointment and disciplinary/dismissal be amended from grade 4 and below to grade 3b and below.

STANDING ORDERS

[Alterations to Standing Orders will stand referred for approval from Council on 19 April to Council on 12 May, and come into force on 12 May.]

5. S.O.32 – Committees – Delete “Staffing Panel” and add “Joint Appointments Committee” and “Joint Appointments Appeals Committee”.

6. S.O. 39 – Quorum of Committees (page 72):

Add at the end of 39.1 “or as specified below”, and also add new sub-paragraph:

39.3 The quorum of Joint Appointments Committee and of Joint Appointment Appeals Committee shall be 4, consisting of 2 members from Breckland Council and 2 from South Holland District Council.
7. S.O. 43 (Rights to attend Committees) : Page 73 : at 43.5(b) delete reference to “Staffing Panel” and substitute reference to “Joint Appointments Committee” and “Joint Appointments Appeals Committee”.
8. S.O.60: Page 78 (Appointment of Chief Officers and Deputy Chief Officers)
60.1 – Delete “and deputy chief officers”.
9. S.O.61 : page 78 (Disciplinary Action : Protected Officers)
61.3: Delete “a panel of the General Purposes Committee” and substitute “the Joint Appointments Committee”.
61.4: Delete (re appeals) “General Purposes Committee” and substitute “Joint Appointments Appeals Committee”.
61.5: Ditto (as 61.4)
10. S.O. 62: Page 79 (Dismissal/Disciplinary Action: Non-Protected Staff):

62.1 : as 61.3
62.2 : as 61.4

B AS A RESULT OF NEW EXECUTIVE ARRANGEMENTS

[Alterations to Standing Orders will stand referred for approval from Council on 19 April to Council on 12 May, and come into force on 12 May.]

STANDING ORDERS

1. Alter S.O. 20 to cover new statutory requirements for the Leader to be appointed for four years, and for the Deputy Leader to be appointed by the Leader.

The new wording is:

 - 20.1 The Leader of the Council will be appointed by Full Council at the first Annual meeting after the election by simple majority, and his/her term of office will extend, subject to below, until the Annual Meeting after the next election (usually four years).
 - 20.2 The Leader’s appointment will terminate at any time on the passing in Full Council of a vote of no confidence, provided that the vote is on a formal motion under Standing Order 6 or on his/her resignation or disqualification during his term.
 - 20.3 [As now, but deleting reference to the Deputy Leader]
 - 20.4 The Leader shall appoint a Deputy Leader, who shall remain in office (unless removed by the Leader) until the end of the term of office of the Leader.