

## Part 2

# Articles of the Constitution



## Article 15: Review and Revision of the Constitution

### 15.1 Duty to Monitor and Review the Constitution

- (a) ~~In consultation with the Head of Paid Service,~~ the Monitoring Officer will keep under review the operation of the Constitution to ensure that
- (i) the aims and principles of the Constitution are given full effect; and
  - (ii) the Council remains able to act lawfully, with probity and in accordance with the rules of natural justice.
- (b) The Monitoring Officer will be responsible for maintaining an up-to-date Constitution and will consult with the Audit Committee on matters of concern or where change is proposed.

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### 15.2 Protocol for Monitoring and Review of Constitution by the Monitoring Officer

- (a) A key role for the Monitoring Officer is to be aware of the strengths and weaknesses of the Constitution adopted by the Council, and to make recommendations for ways in which it could be amended in order to better achieve the purposes set out in Article 1.
- (b) In undertaking this task, the Monitoring Officer, ~~in consultation with the Head of Paid Service~~ may:
- (i) observe meetings of different parts of the Member and officer structure;
  - (ii) undertake an audit trail of a sample of decisions;
  - (iii) record and analyse issues raised with him/her by Members, officers, the public and other relevant stakeholders; and
  - (iv) compare practices in this authority with those in other comparable authorities, or national examples of best practice.

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15.3 Changes to the Constitution

a) ~~a) Approval:~~ Changes to the ~~C~~constitution will ~~only~~ be approved ~~annually~~ by the Full Council after consideration of ~~either:~~

- ~~the proposal by the Head of Paid Service and the Monitoring Officer;~~
- ~~a recommendation from a Committee;~~
- ~~a report of the Political Structures Working Group; or~~
- ~~a motion on notice submitted by Members in accordance with Council Procedure Rule 10.~~

~~The Monitoring Officer may make minor amendments to the Constitution as and when deemed necessary, and, where in the opinion of either or both of those officers the changes proposed are significant, a Member Working Group appointed by Council.~~

b) **Change from a Leader and Cabinet form of Executive to alternative arrangements, or vice versa:** The Council must take reasonable steps as prescribed by law to consult with local electors and other interested persons in the area when drawing up proposals.

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