

Title of Report	Constitution Review
For Consideration By	Constitution Committee
Meeting Date	23 May 2023
Classification	Open
<u>Ward(s) Affected</u>	N / A
Director	Dawn Carter-McDonald, Director of Legal, Democratic and Electoral Services

1. Introduction

- 1.1. This report provides Members of the Constitution Committee with the opportunity to see the draft new Constitution in its entirety for final comments / observations prior to planned public engagement in June 2023. The draft appearing in Appendix 1 draws together all of the work that has been undertaken by the Constitution Officer Working Group (“COWG”) and the Committee since March 2022.

2. Recommendations

- 2.1. **That the Committee consider and provide final comments / observations on the draft Constitution accompanying the report in Appendix 1.**

3. Background

- 3.1. Hackney Council's Constitution in its current form dates from May 2011. Since 2011 there have been 32 re-issues of the Constitution. Changes have been made:
- to reflect changing legislation;
 - to reflect the updated terms of reference of various Council Committees, Panels, Commissions and Sub-Committees;
 - to correct errors;
 - to change terminology; and
 - to introduce greater clarity around certain of the Council's procedures.

However, the review and refresh that has been ongoing since March 2022 is the first time that the Constitution has been reviewed as a whole document in the manner that it has. It is also the first time that the Council has had a Constitution Committee tasked with overseeing such work.

- 3.2. Members will recall that, in April 2022, they agreed a vision statement which would serve as the framework for the objectives of both the COWG and the Committee as the review and refresh was undertaken

To produce a clear and succinct Constitution for the London Borough of Hackney which is user-focused and accessible for all; which provides helpful instruction on the manner in which the Council conducts its business; and which ensures excellence in governance across the Council.

- 3.3. At this stage, hyperlinks have **not** been added to the text. The addition of hyperlinks will take place once Council has approved the document in due course. The rationale for this is that the addition of hyperlinks across the document will take a considerable amount of officer time and should any amendments be proposed to the text either following public engagement or as part of the consideration of the document by Council, there is a risk that those amendments will impact upon any hyperlinks that might be inserted at this stage thus leading to duplication of effort..
- 3.4. As has been highlighted throughout this process, the COWG will continue to check the document for typographical, grammatical and formatting errors in the run up to the report being presented at July's Council meeting. The COWG will also continue to reflect upon the wording to see if any further improvements should be made as part of the work to ensure that the principles of plain English have been applied.
- 3.5. The COWG is proposing that a new front cover will be created, which will use a montage of photographs from around the borough with a focus on things that the Council makes decisions about / is responsible for (e.g. parks) and the residents it serves. Photographs will also be used on each Part's cover page. The COWG will work with Hackney Design Studio in the production of this element. The front cover on the draft is a 'holding' cover and has not been subject to any design-led process.

Engagement

- 3.6. An update on public engagement sessions will be provided verbally at the meeting.

4. **Comments of the Group Director of Finance and Corporate Resources.**

4.1. There are no financial implications arising from the recommendations contained within this report.

5. **Comments of the Director of Legal, Democratic and Electoral Services**

5.1. Section 37 of the Local Government Act 2000 requires that the Council must prepare and keep up to date a document known as the Constitution which contains a copy of the Council's standing orders, a copy of the Council's code of conduct, and such other information (if any) as the Council considers appropriate.

5.2. In addition, Article 15 of the Constitution requires the Monitoring Officer to monitor and review the operation of the Constitution and to make recommendations for the way in which it could be amended in order to achieve its purposes.

5.3. There are no legal implications arising directly from this report.

Appendices

Appendix 1 - Draft Council Constitution

Background documents

None

Report Author	Louise Humphreys Head of Legal and Governance louise.humphreys@hackney.gov.uk 020 8356 4817
Comments for the Group Director of Finance and Corporate Resources prepared by	Jackie Moylan Director, Financial Management jackie.moylan@hackney.gov.uk 020 8356 3032
Comments for the Director of Legal, Democratic and Electoral Services prepared by	Dawn Carter-McDonald Director of Legal, Democratic and Electoral Services dawn.carter-mcdonald@hackney.gov.uk 020 8356 6234