

Extract from South Kesteven District Council's Constitution

ARTICLE 18 - REVIEW AND REVISION OF THE CONSTITUTION

18.1 Duty to monitor and review the constitution

The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.

18.2 Protocol for monitoring and review of constitution by Monitoring Officer

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. In undertaking this task the Monitoring Officer 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.

18.3 Changes to the Constitution

- (i) Constitutional changes may be prompted not only from internal reviews and evaluation of their governance, but also from changes in public opinion.
- (ii) Changes to the Constitution will only be approved by the full Council after consideration of a report by the Monitoring Officer on the proposal by the Constitution Committee.
- (iii) The Council has adopted a protocol on changes to the Constitution which is set out below

18.4 Protocol for Changes to the Council's Constitution

The Council's Constitution is a statutory document which sets out how the Council operates, how decisions are made and who makes them, the procedures to be followed, and the rules to which Councillors and officers are to abide.

Parts of the Constitution are merely statements of factual matters appertaining to the Council, such as its objectives and policy framework documents, some of these change from time to time by virtue of Council decisions, others, such as member and officer details occur without any decision of the Council being involved.

Other parts reflect the decisions of the Leader and Cabinet, e.g. as to its size and portfolios of responsibility. Such amendments will simply be made to record these.

Changes to the principles of the executive arrangements, and the various rules and codes would require adoption by or resolutions of the Council.

Article 18 of the Constitution provides for its amendment by Council to be the subject of consideration by the Constitution Committee following a report from the Monitoring Officer. Such reports are likely to result from the reviews and evaluation detailed in Article 18.

Specifically, the provisions of the Constitution considered to be able to be the subject of Constitution Committee recommendations to Council to effect any amendments are:

Part 2

Articles 2,6,8,9,,11,13,14, 15,16,17, 18 and 19

Article10 deleted

Part 4 (all)

Part 5 (all)