

## **Amendments to the Council's Constitution**

### **SUMMARY**

- 1.1 This report seeks Council's approval of a number of amendments to the Council's Constitution.

### **RECOMMENDATION**

- 2.1 To approve amendments to the Council's Constitution as detailed by the Monitoring Officer at paragraphs 4.1, 4.4 and 4.5 of this report.

### **REASONS FOR RECOMMENDATION**

- 3.1 In accordance with Article 15 of the Constitution, amendments will only be approved after consideration of a report by the Monitoring Officer.

### **SUPPORTING INFORMATION**

#### **Appointment of Deputy Chief Executive**

- 4.1 As the Council faces increasingly unprecedented challenges the decision was taken to establish deputy leadership responsibilities on a permanent basis to ensure continuity and consistency of decision making. Prior to the appointment, the duties and responsibilities of Deputy Chief Executive were rotated on a 6 monthly basis across the Strategic Director group.
- 4.2 Following a recruitment process, the Strategic Director of Neighbourhoods has been appointed to act as Deputy Chief Executive. The postholders' formal title will be Strategic Director of Neighbourhoods and Deputy Chief Executive.
- 4.3 Amendments are required throughout the Constitution to reflect that:
- the Strategic Director of Neighbourhoods and Deputy Chief Executive will deputise for the Chief Executive (and Head of Paid Service)
  - the Scheme of Delegation for the Strategic Director of Neighbourhoods will be amended to reflect the postholders' revised job title of Strategic Director of Neighbourhoods and Deputy Chief Executive
  - the Strategic Director of Neighbourhoods and Deputy Chief Executive will be an authorised signatory for the signing and sealing of contracts.

## Regulation of Investigatory Powers Act 2000

- 4.4 Following an inspection by the Office of Surveillance Commissioners, the Scheme of Delegation is to be amended to reflect that the Council's Authorising Officers for the purposes of the Regulation of Investigatory Powers Act 2000 will be limited to the following posts only:
- Director of Younger Adults and Housing
  - Director of Environment and Regulatory Services
  - Director of Customer Management
  - Chief Executive (and Head of Paid Services); and
  - Strategic Director of Neighbourhoods and Deputy Chief Executive.
- 4.5 The Scheme of Delegation will be amended to reflect that the Director of Legal and Democratic Services will act as Senior Responsible Officer for the purpose of ensuring the Council's compliance with the Regulation of Investigatory Powers Act 2000.
- 4.6 The Audit and Account Committee receives quarterly reports in respect of the Council's compliance with the Regulation of Investigatory Powers Act 2000.

### OTHER OPTIONS CONSIDERED

- 5.1 None

This report has been approved by the following officers:

<b>Legal officer</b> <b>Financial officer</b> <b>Human Resources officer</b> <b>Estates/Property officer</b> <b>Service Director(s)</b> <b>Other(s)</b>	Janie Berry, Director of Legal and Democratic Services Martyn Marples, Director of Finance Karen Jewell, Director of Human Resources and Business Support  Phil O'Brien, Head of Democratic Services, Richard Boneham, Head of Governance and Assurance
<b>For more information contact:</b> <b>Background papers:</b> <b>List of appendices:</b>	Janie Berry 01332 643616 <a href="mailto:janie.berry@derby.gov.uk">janie.berry@derby.gov.uk</a> None Appendix 1 – Implications

<b>IMPLICATIONS</b>
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**Financial and Value for Money**

1.1 None.

**Legal**

2.1 In accordance with Article 15 of the Constitution, amendments will only be approved after consideration of a report by the Monitoring Officer.

**Personnel**

3.1 An Appointments Panel was convened for the appointment of the Deputy Chief Executive

**Equalities Impact**

4.1 None.

**Health and Safety**

5.1 None.

**Environmental Sustainability**

6.1 None.

**Property and Asset Management**

7.1 None.

**Risk Management**

8.1 None.

**Corporate objectives and priorities for change**

9.1 None.

