

Minutes of a meeting of the Constitution Committee held at County Hall, Glenfield on Monday, 24 November 2025.

PRESENT

Mr. D. Harrison CC (in the Chair)

Mr. M. T. Mullaney CC

Mrs D. Taylor CC

15. Minutes.

The minutes of the meeting held on 29th July 2025 were taken as read, confirmed and signed.

16. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 35.

17. Questions asked under Standing Order 7(3) and 7(5).

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

18. Urgent Items.

There were no urgent items for consideration.

19. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

No declarations were made.

20. Annual Governance Statement

The Committee considered a joint report of the Director of Corporate Resources and the Chief Executive, the purpose of which was to outline the background approach taken to produce the County Council's 2024-25 Annual Governance Statement (AGS) and to present this for approval prior to sign off by the Chief Executive and the Leader of the Council. A copy of the report marked 'Agenda Item 6' is filed with these minutes.

In response to a question, the Head of Internal Audit Service reported that the internal audit of East Midlands Shared Service (EMSS) undertaken by Nottingham City Council had raised concerns regarding the payroll audit due to the overpayment of salaries. It was noted that the fault identified did not relate to the EMSS payroll service itself but from managers not properly recording staff who had left employment in a timely manner.

The Head of Internal Audit Service assured the Committee that the issues identified predominantly related to Nottingham City Council and that for the County Council the number of cases was low and the value involved minimal.

A separate piece of work would be undertaken to review and improve the City and County Councils' processes and the Corporate Governance Committee would kept updated of progress.

RESOLVED:

(a) That the 2024-25 Annual Governance Statement be approved;

(b) That the Director of Corporate Resources be authorised to update the AGS as necessary to align with the finalised Statement of Accounts for the County Council and the Pension Fund (yet to be approved) noting that such changes will be reported to the Corporate Governance Committee and the Leader as appropriate.

21. Annual Review of the Constitution.

The Committee considered a report of the Chief Executive, the purpose of which was to recommend changes to the Constitution as part of this year's annual review. A copy of the report marked 'Agenda Item 7' is filed with these minutes.

A member raised a question about the new Article 6.06, which was added to clarify the appointment process for Scrutiny Commissioners, commenting that the proposed wording could cause confusion about how the Chairman of the Scrutiny Commission was appointed. The Chief Executive clarified that Article 6.05, relating to the appointment of the Chairman of Scrutiny Commission, still applied unchanged – meaning that the Chairman would continue to be the Leader of the largest opposition group. The new Article 6.06 specifically captured the current process for appointing the four Scrutiny Commissioners and acknowledged that the Chairman would be included among them, as well as cross-referring to Article 6.05.

The Leader raised the possibility of the role rotating between the two largest opposition parties. However, concern was expressed by a member that this would be less effective and would diverge from the Council's longstanding practice to entrust the role to the Leader of the largest opposition group.

It was suggested that to avoid any confusion Article 6.06 be amended as follows:

*“The Council will appoint four Scrutiny Commissioners, two from the leading political group and one from each of the two main opposition groups, **with** the Chairman determined in accordance with paragraph 6.05 above.”*

RESOLVED:

That, subject to the change now proposed to Article 6.06 being made, the County Council be recommended to approve the proposed changes to the Constitution as set out in the Appendices attached to the report.