



<u>ITEM</u>	<u>PROPOSED AMENDMENT</u>	<u>EXPLANATION</u>
	senior officers to give evidence at a standing overview and scrutiny committee or prompt a debate at a meeting of the full County Council."	) ) ) )
PART 2  ARTICLES  ARTICLE 2.02 Election and terms of County Councillors	Amend the first sentence to read as follows:-  "The regular election of county councillors will normally be held on the first Thursday in May every four years beginning in 2001."	To reflect that whilst normally this will be the case, the Government has the ability to change the date of elections, as was the case in 2009.
ARTICLE 3. Citizens and the County Council	Amend paragraph 3.01(a) to read as follows:-  "(a) voting and referendum petitions. Citizens on the electoral roll for the County have the right to vote and sign a petition to request a referendum for an elected mayor form of Constitution."  Amend paragraph 3.01(c) to read as follows:-  <b>Participation.</b> Providing that they follow the correct procedure, citizens have the right to:  1. participate in question time at meetings of the standing overview and scrutiny committees and the boards and committees in the Regulatory area;  2. submit petitions to standing overview and scrutiny committees, the boards and committees in the Regulatory area, Highways Forums and, where fixed signatory thresholds are achieved,	To reflect the requirements of the 'Petitions Duty' contained in the Local Democracy, Economic Development and Construction Act 2009.

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	require senior officers to give evidence at a standing overview and scrutiny committee or prompt a debate at a meeting of the full County Council;	
ARTICLE 6.06 – Membership of the Scrutiny Commission	Substitute "Adults, Communities and Health Overview and Scrutiny Committee" for "Adult Social Care and Health Services Overview Scrutiny Committee."	To reflect changes in the structure.
ARTICLE 7.04 – Designation of Deputy Leader and Lead Members	Substitute "Lead Member for Adults and Communities" for "Lead Member for Adult Social Care and Health".	To reflect changes in the structure.
ARTICLE 9 – The Standards Committee	<p>Amend 9.02 to read as follows:-</p> <p><b>"9.02 Composition</b>  The Standards Committee will be composed of at least three County Councillors (who may not include the Leader) and up to three people who are not County Councillors or officers of the County Council or any other body having a Standards Committee (the Independent Members). Temporary appointments of Independent Members from another Standards Committee may be made by the Chief Executive as permitted under the relevant Regulations. The Independent Members will be entitled to vote at meetings. A member of the Executive may not chair the committee. The statutory prohibition against the Leader being a member of the Standards Committee is extended, as a matter of local choice, to encompass the Deputy Leader, where one has been appointed.</p>	Increase in number of independent members in line with views of Constitution Committee and Standards Committee.

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	<p>The term of office for independent members will be for four years, the appointment of two people commencing in December 2009 and the remaining one person commencing in December 2011."</p>	
<p>ARTICLE 12 - Officers</p>	<p>Amend 12.01(c) to read as follows:-</p> <p><b>"(c) Head of Paid Service, Monitoring Officer, Chief Financial Officer and designated Scrutiny Officer.</b> The County Council will designate the posts shown in Table D of Schedule 3 as the Head of Paid Service, Monitoring Officer, Chief Financial Officer and designated Scrutiny Officer respectively . Such posts will have the functions described in Article 12.02 – 12.04A below"</p> <p>Add new paragraph as follows:-</p> <p><b>"12.04A Functions of the designated Scrutiny Officer.</b></p> <p>The designated Scrutiny Officer will undertake the functions laid down in Section 21ZA of the Local Government Act 2000 as follows:-</p> <p>(a) to promote the role of the Authority's overview and scrutiny committee or committees;</p> <p>(b) to provide support to the Authority's overview and scrutiny committee or committees and members of that committee or those committees;</p>	<p>To reflect the requirements of the Local Democracy, Economic Development and Construction Act 2009 in relation to a designated Scrutiny Officer.</p>

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	<p>(c) to provide support and guidance to:-</p> <ul style="list-style-type: none"> <li>(i) members of the Authority</li> <li>(ii) members of the executive of the Authority, and</li> <li>(iii) officers of the Authority;</li> </ul> <p>in relation to the functions of the Authority's overview and scrutiny committee or committees."</p>	
ARTICLE 15.02 – Changes to the Constitution	<p><b>"15.02 Changes to the Constitution</b>  <b>Approval.</b> Changes to the Constitution will only be approved by the full County Council after consideration of the proposal by the Chief Executive and the Constitution Committee and/or Corporate Governance Committee as appropriate, <b>provided that</b> the Chief Executive is authorised to update any part of this Constitution in respect of changes in the Management Structure and Part 9 of this Constitution for the purpose of formally recording any changes in, or additions to, the specific delegations to officers made by the County Council, the Executive or a Regulatory Board or committee. Proposals for changes to the Meeting Procedure Rules in Part 4(A) of this Constitution must comply with the process prescribed in those Rules."</p>	To allow delegated powers and other aspects of the Constitution to be amended as a consequence of structural change without the need for the separate approval of the Cabinet and/or other body.

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SCHEDULE 2 OF ARTICLES Plans and Strategies forming the Policy Framework	Amend item 20 to read as follows:-  "20. Equality, Diversity and Human Rights Strategy."	To reflect decision of County Council on 19 May 2010 to widen extent of strategy.
SCHEDULE 3 OF ARTICLES  TABLE A – Overview and Scrutiny Committees	Amend third body in the table to read as follows:-  Adults, <u>County Council Functions</u> Communities and Health The executive functions of the County Council in respect of:  Adults and Communities.  <u>Health Service Functions</u>  1. The exercise by health bodies of functions which affect the area of the County Council.  2. Arrangements for responding to consultation by local health bodies for substantial development of the health service or substantial variation in the provision of such service, save where these are dealt with through a joint committee with other Social Services authorities.	To reflect changes in structure.

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TABLE C – Chief Officers	Delete "Public Relations" from functions exercised by the Chief Executive. Add "Public Relations" and "Country Parks" to the functions exercised by the Director of Corporate Resources.	To reflect changes in structure.				
TABLE D	Amend the title to read – "Head of Paid Service, Monitoring Officer, Chief Financial Officer and designated Scrutiny Officer."  Add the following to the list  <table border="0" data-bbox="752 651 1400 751"> <tr> <td><u>Post</u></td> <td><u>Designation</u></td> </tr> <tr> <td>Head of Legal Services</td> <td>Scrutiny Officer</td> </tr> </table>	<u>Post</u>	<u>Designation</u>	Head of Legal Services	Scrutiny Officer	To reflect the requirements of the Local Democracy, Economic Development and Construction Act 2009.
<u>Post</u>	<u>Designation</u>					
Head of Legal Services	Scrutiny Officer					
RESPONSIBILITY FOR FUNCTIONS PART 3 – SECTION C – Responsibility for Executive functions	Delete all reference to East Midlands Shared Services.	Following the County Council elections, Nottinghamshire County Council decided not to proceed with these arrangements.				
PART 3 – SECTION D – General Scheme of delegation to heads of department	Delete Head of Public Relations from note.	Reflects change in officer structure.				
PART 3 – SECTION E – Panels	Delete the following from concluding note:-  "the Conditions of Service Panel."	To reflect changes to Employment policies and procedures.				

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<p>PART 4E – OVERVIEW AND SCRUTINY PROCEDURE RULES</p> <p>RULE 2 – The Scrutiny Commission</p>	<p>Add the following at the end of the rule:-</p> <p>"7. to act as the statutory appeal body where a petitioner has requested a review of the adequacy of the steps taken or which are proposed to be taken in the Authority's response to a petition."</p>	<p>To meet statutory requirement to establish an appeals mechanism.</p>
<p>RULE 3 – Membership of overview and scrutiny committees</p>	<p>Amend Rule 3 to read as follows:-</p> <p style="text-align: center;"><b>RULE 3</b> <b><i>Membership of overview and scrutiny Committees</i></b></p> <p>All County Councillors except members of the Executive and Cabinet Support Members may be members of an overview and scrutiny committee which deals with County Council functions. No member may be involved in scrutinising a decision with which he/she has been directly involved.</p>	<p>In the interests of clarity. The particular reference to health service functions was included to cover the former arrangements whereby Co-opted members from district councils were appointed to Health Scrutiny bodies. This can now be removed.</p>
<p>PART 4H – OFFICER EMPLOYMENT PROCEDURE RULES</p>	<p>Rule 2. Responsibility for Appointing, Dismissing and Disciplinary Employees. Substitute "Director of Adults and Communities" for "Director of Adult Social Care and Health".</p>	<p>To reflect change in structure.</p>

<b><u>ITEM</u></b>	<b><u>PROPOSED AMENDMENT</u></b>	<b><u>EXPLANATION</u></b>
PART 5C – PROTOCOL ON MEMBER/OFFICER RELATIONS	<p>Amend list under fourth bullet point in paragraph 21 to read:-</p> <p>"Organisational Change Policy and Procedure  Disciplinary Policy and Procedure  Grievance Policy and Procedure  Capability Policy and Procedure  Probation Policy and Procedure  Dignity at work Policy and Procedure."</p>	To reflect decisions on employment policies agreed by the Employment Committee.