



Council
12 July 2022

Report Title	Constitutional Issues
Cabinet Portfolio	Finance & Governance
Cabinet Member	Councillor Martin Bond
Exempt Report	No
Reason for Exemption	N/A
Key Decision	No
Public Notice issued	N/A
Wards Affected	All
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Borough Priorities	Ensure children and young people have a positive start in life	
	Promote good health, independence, and care across our communities	
	Create safe and strong communities and neighbourhoods for all	
	Support a strong, thriving, inclusive and well-connected local economy	
	Create green and vibrant places that reflect our heritage and culture	
	Be a responsible Council	X

1. Summary

- 1.1 Members are provided with details of proposed amendments which are considered necessary to the Council's Constitution. In some cases, these are a matter for Council to note, but in other cases Council approval to the amendments is being requested.

2. Recommendation for Decision

Council is recommended to:

- i. note the change to the representatives on the Cabinet Member Schedule, namely Councillor Baines and Councillor Quinn on the new Integrated Care Partnership in replacement of the former Health & Care Partnership Board; and
- ii. to note the revised Code of Conduct for Employees at Appendix 1 for inclusion in Part 5 of the constitution.

3. Purpose of this report

- 3.1 The report sets out a number of issues in relation to the Constitution and the governance of the Council, which Council is asked to consider and either note or determine, as appropriate.
- 3.2 It is the responsibility of the Monitoring Officer to monitor and review the operation of the Constitution and to seek approval to any changes necessary due to changes in legislation or changes in the way the Council wishes to operate. This report sets out the proposed changes which have been identified.
- 3.3 At Annual Council on 25 May 2022, Council noted the representatives identified on the Cabinet Member Schedule in Appendix 1 to the Appointments to Outside Bodies and Other Bodies 2022/23 report. The representatives on the Health & Care Partnership Board were as follows:

Organisation	Internal/ External	When/ Where	Secretary	Role of Organisation	Officer Contact	Cabinet	Councillor 2022/23
Health & Care Partnership Board	External	Quarterly	Heidi Swann	Strategic Board for joint health and care services in Cheshire & Merseyside	Mark Palethorpe	Adult Social Care Public Health, Leisure, Libraries & Heritage	Cllr Baines Cllr Quinn (Deputy)

- 3.4 Members will be aware on 1st July 2022, upon the Health and Care Act 2022 coming into force, NHS Cheshire & Merseyside replaced the clinical commissioning group infrastructure, with nine borough 'Places' tasked with working to improve health and care outcomes under the umbrella of the new organisation, a statutory Integrated Care Board. Integrated Care Systems (ICSs) are partnerships that bring providers and commissioners of NHS services across a geographical area together with local authorities and other local partners to collectively plan health and care services to meet the needs of their local population. This moves away from the old legislative focus on competition to a new framework that supports collaboration. The new Act moves ICSs onto a statutory footing with the establishment of Integrated Care Boards (ICBs) and Integrated Care Partnerships (ICPs).
- 3.5 The former Health & Care Partnership Board is therefore replaced by the ICP and the Council's representatives are Councillor Baines and Councillor Quinn.
- 3.6 The Code of Conduct for Employees has been reviewed and updated to reflect best practice, the Council's values and behaviours, a consistent format and changes in post titles. The Code was approved by DED 0003 2022/23 on 13 June 2022 as part of a suite of revised People Management policies. Council is invited to note the revised approved Code for inclusion at Part 5 of the constitution.

4. Background / Reason for the recommendations

- 4.1 The Council has agreed a constitution which sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by the law, while others are a matter for the Council to choose.

5. Consideration of Alternatives

- 5.1 None.

6. Conclusions

- 6.1 The Constitution is reviewed regularly with proposed amendments recommended to Council for consideration and approval. Minor changes may be made during the year by the Monitoring Officer to ensure the document remains fit for purpose, for example changes to post titles.

7. Legal Implications

- 7.1 The recommendations within this report are lawful and comply with the Council's Constitution. Except insofar as the Council has delegated to the Monitoring Officer power to make minor amendments to the Constitution, changes to the Constitution will only be approved by full Council after consideration of the proposal by the Monitoring Officer.

8. Community Impact Assessment (CIA) Implications

- 8.1 N/A

9. Social Value

- 9.1 None.

10. Sustainability and Environment

- 10.1 None.

11. Health and Wellbeing

- 11.1 None.

12. Equality and Human Rights

- 12.1 None.

13. Customer and Resident

- 13.1 None.

14. Asset and Property

- 14.1 None.

15. Staffing and Human Resources

- 15.1 None.

16. Risks

- 16.1 There is a risk that not keeping the Constitution up to date could be detrimental to ensuring that the aims of good governance are given full effect.

17. Finance

- 17.1 None.

18. Policy Framework Implications

- 18.1 None.

19. Impact and Opportunities on Localities

19.1 None.

20. Background Documents

20.1 None.

21. Appendices

21.1 Appendix 1 – Revised Code of Conduct for Employees