



## GOVERNANCE COMMITTEE

30 April 2015

**Subject Heading:**

**MONITORING OFFICER NO 05  
AMENDMENTS TO THE  
CONSTITUTION**

**Report Author and contact details:**

**Graham White**, Interim Head of Legal  
Services / Deputy Monitoring Officer

**Policy context:**

Monitoring Officer Amendments to the  
Constitution

**Financial summary:**

These changes are purely procedural and  
have no specific financial implications

**The subject matter of this report deals with the following Council Objectives**

Havering will be clean and its environment will be cared for

People will be safe, in their homes and in the community

Residents will be proud to live in Havering

### SUMMARY

Part 2 Article 11.02(c) of the Constitution authorises the Monitoring Officer to amend the Constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure.

The constitution provides that this committee must be notified of any such amendment at the first reasonable opportunity.

### RECOMMENDATIONS

That the changes to the Constitution set out at Appendix A to this report be noted.

**REPORT DETAIL**

The Monitoring Officer has the ability to make limited amendments to the Constitution as set out in the summary above.

The amendments pick up legislative changes brought in by the Care Act 2014, ensuring that the Head of Adult Social Care has all of the relevant powers to administer the Council's adult social care functions. There is one addition of the Local Safeguarding Children Board at Part 3 section 1.3 as a statutory body which has been previously overlooked.

The meeting of this committee is the first opportunity for the reporting of the most recent amendments made and the committee is requested accordingly to note the amendments made.

**IMPLICATIONS AND RISKS**

*There is a **corporate** requirement to set out the implications and risks of the decision sought, in the following areas*

**Financial implications and risks: None**

**Legal implications and risks:**

The Constitution provides for the Monitoring Officer to make certain amendments to the constitution in given situations and these amendments are pursuant to and in accordance with those powers. There are not legal implications arising from this report.

**Human Resources implications and risks: None**

**Equalities implications and risks:**

The proposed minor constitutional amendments will ensure that the Local Authority is compliant with the Care Act 2014. There are no direct equalities implications or risks arising from this report.

**BACKGROUND PAPERS**

**None**