



## GOVERNANCE COMMITTEE

26 November 2025

**Subject Heading:**

**CONSTITUTIONAL REVIEW –  
VARIOUS PARTS**

**ELT Lead:**

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**Policy context:**

A well run Council that delivers for People and Place.

**Financial summary:**

There are no financial implications arising from this report.

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

People - Things that matter for residents

Place - A great place to live, work and enjoy

Resources - A well run Council that delivers for People and Place. X

### SUMMARY

1. Governance Committee (“GC”) is aware that the Council’s constitution is currently being updated on a piecemeal basis, under the direction of the Constitutional Working Group (“CWG”). A summary of the changes made to date and the likely ongoing programme is included for information.
2. This report sets out detail on the latest round of changes.

## RECOMMENDATIONS

3. GC is asked to consider the revised constitution, as attached to this report and to recommend that it be submitted to Full Council (“FC”) for approval and adoption, subject to consideration of any changes as suggested by GC.

## REPORT DETAIL

4. The following table shows the latest position in respect of the ongoing programme of constitutional review:

Part 1	Summary of the Constitution	Reviewed and updated
Part 2	Articles	Reviewed and updated
Part 3	Responsibility for Functions 3.1 Full Council & Committees 3.2 Executive (Leader, Cabinet, etc) 3.3 Officers (including property disposals code) 3.4 Local choice functions 3.5 Proper officer functions	Reviewed and updated although certain refinements continue to be proposed – for example, the interrelation between the Director of Children’s Services and the Director of Starting Well. Further changes will come forward in due course.
Part 4	Rules of Procedure	
	4.1 Access to Information	New section prepared, covering access to info for councillors and general public. Approved by CWG. <b>Included in this paper.</b>
	4.2 Budget and policy framework procedure rules	
	4.3 Committee procedure rules	These rules have not been considered in full but small changes will be required if the latest Pension Committee proposals are accepted. <b>Covered by way of separate report.</b>
	4.4 Contracts procedure rules	Currently under review. Hope to be in place by 1 April 2026. <b>Hopefully to GC in January.</b>
	4.5 Council procedure rules	Likely to be reviewed in 2026 to cover discussions on motions, prayers etc that have arisen in the last year or so.
	4.6 Executive procedure rules	
	4.7 Statement of Finance	

	Policy Principles	
	4.8 Financial Regulations	
	4.9 Overview & Scrutiny Committee Procedure Rules	Likely to be reviewed in 2026 in line with introduction of Overview and Scrutiny working protocol.
	4.10 Planning procedure rules	Changes were initially considered by CWG but stood down due to changes in national approach.
	4.11 Staff employment procedure rules	
Part 5	Codes and Protocols	
	5.1 Members' Code of Conduct	Likely to be reviewed in 2026.
	5.2 Arrangements for dealing with allegations that a member has failed to comply with the Members' code of conduct	Updated and agreed by CWG. <b>Included in this report.</b>
	5.3 Protocol on gifts and hospitality	
	5.4 Protocol on Member - Officer relations	
	5.5 Protocol on probity in planning Matters	
	5.6 Staff Code of Conduct	
Part 6	Members' Allowances	
Part 7	Management Structure Chart	To be deleted.

5. Whilst not having a specific place within the constitution, GC may also wish to note the following work which has been undertaken under the direction of the CWG:
- (a) the policy framework is being reviewed to identify who has the authority to sign off which policies across the Council.
  - (b) The flag flying and lightning up policy is now in place.
  - (c) The social media protocol for members is now in place.
  - (d) Write off authorisations at officer level are now in place.
  - (e) Honorary awards protocol is now in place.

*Access to Information*

- 6. Attached to this paper is a revised Part 4.1 which GC is invited to review.
- 7. It can be compared against the original which can be found here:

[Part 4.1 - Access to information procedure rules.pdf](#)

8. The provisions have been reordered and are, hopefully, clearer to both councillors and members of the public.
9. Information relating to the forward plan and the dates upon which decisions can be made have been removed as they do not appear to fit within the main purpose of Part 4.1. It is envisaged that these provisions will be added to a new schedule 4.12.

*Member code of conduct complaints procedure*

10. Attached to this report is a revised Code of Conduct which GC is invited to review.
11. It can be compared against the original which can be found here:

[Part 5.2 - Arrangements for dealing with allegations that a member has failed to comply with the Mem.pdf](#)

12. The main change is the introduction of a viability stage. This is a paper-based exercise to strike out those complaints which are manifestly ill-advised.

*Other changes*

13. The Monitoring Officer (“MO”) is entitled to make changes to the Constitution in accordance with part 3.3.7. For the sake of completeness, a summary of those changes made and proposed are set out below:
  - (a) Part 3.3.3 Appendix A has been updated to cover new legislation in Trading Standards.
  - (b) The constitution still contains references to SLT, Second Tier Managers and some other terms that are now outdated. The MO intends to go through the same and update accordingly.

**IMPLICATIONS AND RISKS**

**Equalities implications and Risks**

14. None.

**Legal implications and Risks**

15. A key role for GC is to be aware of the strengths and weaknesses of the constitution adopted by the Council and to make recommendations for ways in

which it could be amended, in order better to achieve the purposes set out in Article 1, including setting the framework within which the Council operates, enabling the Council to provide clear leadership to the community and providing an effective means of holding decision-makers to public account.

16. Changes to the constitution will be approved by FC only after consideration of the proposals by GC.
17. It is the MO's responsibility to maintain an up-to-date version of the constitution and ensure that it is widely available for consultation by members, staff and the public. The proposals set in the report are intended to meet these requirements.

**Financial implications and risks:**

18. There are no financial implications arising from the contents of this report.

**Human Resources implications and risks:**

19. The recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

**Environmental and climate change implications and risks**

20. None.

**BACKGROUND PAPERS**

None.