

Proposed Amendments to Constitution – 2021

Where amendments are suggested to part of a paragraph, only the relevant part is replicated in the amendment chart below.

<u>PART A: ITEMS FOR DECISION</u>			
Provision in Constitution	Current Wording	Proposed Amendment	Reason(s)
<p>Part 4 – Rules of Procedure</p> <p>Access to Information Procedure Rules</p> <p>14. THE FORWARD PLAN</p>	<p>14.1 Period of forward plan</p> <p>(a) Forward plans will be prepared by the Assistant Chief Executive (Legal and Democratic Services) and published by the middle of each month. Each Plan will cover a period of 12 months, beginning with the first day of the following month. The Forward Plan must be published at least 14 days before the start of the period covered. The Plan will be updated on a rolling basis.</p> <p>(b) On the day of publication of the Plan, the Assistant Chief Executive (Legal and Democratic Services) will send the Plan to all Members by e-mail.</p> <p>(c) A form to be used for notifying the Legal and Democratic Services Unit of new items for the Forward Plan can be found on the Council’s Intranet. The Forward Plan itself is included on the Intranet and Internet websites.</p>	<p>14.1 Period of forward plan</p> <p>(a) The Forward Plans is prepared by the Assistant Chief Executive (Legal and Democratic Services) and published every working Monday. Each Plan covers the forthcoming 12 month period..</p> <p>(b) On the day of publication of the Plan, the Assistant Chief Executive (Legal and Democratic Services) will send the Plan to all Members by e-mail.</p> <p>(c) Items can be added to the Forward Plan directly via the Democratic Services Committee Management System or by notifying Legal and Democratic Services using the form attached in the Appendix to these Rules (which is also published on the Intranet).. The Forward Plan itself is published on the Intranet and Council website.</p>	<p>To update the Constitution regarding the legislative requirements in relation to Forward Plan document publication requirements and also regarding current practice since implementation of the ModGov Democratic Services Committee Management System.</p> <p>To update the Constitution regarding current practice since implementation of the ModGov Democratic Services Committee Management System</p>

	<p>14.2 Contents of forward plan</p> <p>(a) The forward plan will be in the format contained in the Appendix to these Rules and will contain matters which will be the subject of a key decision to be taken by the Executive, a committee of the Executive, individual members of the Executive, Officers, Area Constituency Committees or under joint arrangements in the course of the discharge of an executive function during the period covered by the plan.</p>	<p>14.2 Contents of forward plan</p> <p>(a) The Forward Plan is published online via the Democratic Services Committee Management System and contains matters which will be the subject of a key decision to be taken by the Executive, a committee of the Executive, individual members of the Executive, Officers, Area Constituency Committees or under joint arrangements in the course of the discharge of an executive function during the period covered by the plan.</p>	<p>To update the Constitution regarding current practice since implementation of the ModGov Democratic Services Committee Management System</p>
<p>Part 4 – Rules of Procedure</p> <p>Access to Information Procedure Rules</p> <p>19. EXECUTIVE DECISIONS BY INDIVIDUAL OFFICERS OR INDIVIDUAL MEMBERS OF THE EXECUTIVE</p>	<p>19.3 Record of individual decision</p> <p>(a) As soon as reasonably practicable after an executive decision has been taken by an individual member of the Executive or by an Officer, (either alone or in consultation with an Executive Member) he/she will prepare a record of the decision including the date it was made, a statement of the reasons for it and any alternative options considered and rejected, a record of any conflict of interest declared by any executive member who is consulted in relation to the decision, and a note of any dispensation granted in respect of any declared conflict of interest, in the format contained in the Appendix to these Rules.</p>	<p>19.3 Record of individual decision</p> <p>(a) As soon as reasonably practicable after an executive decision has been taken by an individual member of the Executive or by an Officer, (either alone or in consultation with an Executive Member) he/she will prepare a record of the decision, via the Democratic Services Committee Management System, including the date it was made, a statement of the reasons for it and any alternative options considered and rejected, a record of any conflict of interest declared by any executive member who is consulted in relation to the decision, and a note of any dispensation granted in respect of any declared conflict of interest. Alternatively the decision record proforma contained in the Appendix to these Rules may be completed and emailed to Legal and Democratic</p>	<p>To update the Constitution regarding current practice since implementation of the ModGov Democratic Services Committee Management System. Decision records are now generally produced and published electronically via the ModGov system.</p>

		Services for publication via Democratic Services Committee Management System.	
Part 4 – Rules of Procedure Access to Information Procedure Rules 19A IMPLEMENTATION OF EXECUTIVE DECISIONS	19A.1 After a decision record has been produced and published (whether in the form of Minutes of a meeting or in the decision record format contained in the Appendix to these Rules), there will be a period of 5 clear working days before the decision will take effect if not called in within that time, in accordance with Overview and Scrutiny Procedure Rule 16. <u>(NB: please note that regarding decisions by officers, only key decisions by officers are subject to the call in period).</u>	19A.1 After a decision record has been produced and published (whether in the form of Minutes of a meeting or in the decision record format), there will be a period of 5 clear working days before the decision will take effect if not called in within that time, in accordance with Overview and Scrutiny Procedure Rule 16. <u>(NB: please note that regarding decisions by officers, only key decisions by officers are subject to the call in period).</u>	To update the Constitution regarding current practice since implementation of the ModGov Democratic Services Committee Management System. Decision records are now generally produced and published electronically via the ModGov system.
<u>PART B: ITEMS FOR INFORMATION</u>			
Whole Constitution		<i>Certain typographical/administrative errors have been corrected in the Constitution under the Monitoring Officer's delegated powers as set out in Article 15.02(c)(i) of the Constitution to correct administrative issues.</i>	To ensure that the Constitution is accurate and up to date.

<p>PART 7</p> <p>Management Structure</p>	<p>1. Role of Management Board</p> <p>1.1 The Management Board brings together the Corporate Directors of the County Council, under the Chairmanship of the Chief Executive Officer.</p> <ul style="list-style-type: none"> ◆ Chief Executive of North Yorkshire County Council ◆ Assistant Chief Executive Legal and Democratic Services ◆ Assistant Chief Executive Business Support ◆ Assistant Chief Executive Customer Services ◆ Corporate Director Business and Environmental Services ◆ Corporate Director Health and Adult Services ◆ Corporate Director Children and Young People's Services ◆ Corporate Director Strategic Resources 	<p>1. Role of Management Board</p> <p>1.1 The Management Board brings together the Corporate Directors of the County Council, under the Chairmanship of the Chief Executive Officer.</p> <ul style="list-style-type: none"> ◆ Chief Executive of North Yorkshire County Council ◆ Assistant Chief Executive Legal and Democratic Services ◆ Assistant Chief Executive Business Support ◆ Corporate Director Business and Environmental Services ◆ Corporate Director Health and Adult Services ◆ Corporate Director Children and Young People's Services ◆ Corporate Director Strategic Resources 	<p>It is proposed that the reference to the post of "Assistant Chief Executive Customer Services" be removed, as this post no longer exists, by the Assistant Chief Executive (Legal and Democratic Services) under his delegated powers to amend the Constitution, as set out in Article 15.02(c)(iii) of the Constitution.</p>
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