

Appendix 27: Table of Proposed Amendments

PART	PROPOSED CHANGE
Front Cover	<ul style="list-style-type: none"> • Update corporate logo. • Remove list of alternative languages.
Throughout	<ul style="list-style-type: none"> • Add section headers. • Incorporate corporate colours. • Add content pages to each Part. • Adjust page numbering.
Part 1: Summary and Explanation	
Summary and Explanation	No change.
Glossary of Terms	<ul style="list-style-type: none"> • Correct definition of 'Exempt Information'. • Amend 'political party' to 'political group'. • Amend definition of 'Scheme of Delegation' to reflect proposed changes.
Part 2: Articles	
Article 1: The Constitution	No change.
Article 2: Members of the Council	No change.
Article 3: Citizens and the Council	No change.
Article 4: The Full Council	<ul style="list-style-type: none"> • Add introductory paragraph. • Replace paragraph 4.2 with "4.2 The functions of full Council are set out in Part 3A of the constitution." • Move paragraphs 4.4 – 4.17 to new Part 3A, "Matters Reserved to the Council and Terms of Reference and Delegation of Duties to Committees & Sub-Committees of the Council".
Article 5: Overview and Scrutiny Arrangements	<ul style="list-style-type: none"> • Re-order Articles 5 and 6 so that Article 5 becomes 'The Executive' and Article 6 'Overview and Scrutiny Arrangements'. • Move paragraphs 5.2 – 5.6 (terms of reference of various O&S committees) to new Part 3A.
Article 6: The Executive	Move paragraph 6.8 (responsibility for functions) to new Part 3B, "Terms of Reference

	and Delegation of Duties to the Cabinet and Portfolio Holders”.
Article 7: The Standards Committee	Move paragraphs 7.2 and 7.3 (Composition and Role and Function) to Part 3A.
Article 8: Joint Arrangements	Move paragraph 8.6 (Existing Joint Arrangements) to Part 3A.
Article 9: Officers	No change.
Article 10: Decision Making	No change.
Article 11: Finance, Contracts and Legal Matters	No change.
Article 12: Review, Revision and Suspension of the Constitution	No change.
Part 3: Allocation of Responsibilities	
Part 3: Allocation of Responsibilities	Rename Part 3 ‘Allocation of Responsibilities’.
Part 3A: Matters Reserved to the Council and Terms of Reference and Delegation of Duties to Committees & Sub-Committees of the Council	<ul style="list-style-type: none"> • Create new Part 3A and move matters reserved to full Council and the terms of reference and delegation of duties to committees and sub-committees (including joint arrangements here). • Re-order terms of reference as follows: <ol style="list-style-type: none"> 1. Full Council 2. Committees & Sub-Committees <ol style="list-style-type: none"> i. Overview and Scrutiny Committees ii. Regulatory Bodies iii. Other Bodies iv. Joint Arrangements
Standards Committee	Add delegations for the approval of the Local Assessment Procedure, Local Determination Procedure and appointment of Independent Person.
Police and Crime Panel	Add a sentence clarifying that independent co-opted members are entitled to vote in proceedings of the Panel.
Part 3B: Terms of Reference and Delegation of Duties to the Cabinet and Portfolio Holders	Create new Part 3B and move the terms of reference and delegation of duties to the Cabinet and Portfolio Holders here.
Part 3C: Delegations to Officers	Rename this Part 3C.
Table 1: General Delegations to all Chief Officers	No change.

<p>Table 2: Delegations to the Chief Executive</p>	<p>Add:</p> <ul style="list-style-type: none"> • Approval of officer severance payments between £20k and £100k in consultation with Leader and Portfolio Holder Finance. • To discharge any function of the Executive in relation to communications. • To carry out any executive function in relation to Corporate Affairs, Policy, Planning, Performance and Communications. <p>Add Delegated to the Head of Corporate Affairs:</p> <ul style="list-style-type: none"> • To develop, implement and keep under review an effective internal and external communications strategy, which maintains the strong brand and reputation of the Council. • To lead on the development of the Council Plan. • To develop, implement and keep under review an effective performance management framework.
<p>Table 3: Delegations to the Director for Regeneration, Economy and Growth</p>	<p>Under 'Executive Functions':</p> <ul style="list-style-type: none"> • Delete 'Communications' and move to Table 2. • Add 'Neighbourhood Planning'. <p>Under 'Specific Delegations':</p> <ul style="list-style-type: none"> • Approval of property acquisitions up to £500k where the property is to be used as a children's home, in consultation with the s. 151 officer and relevant portfolio holders. <p>Under the list of delegations to the Head of Planning and Housing:</p> <ul style="list-style-type: none"> • Amend references to the Head of Development and Housing to Head of Planning and Housing. • Add providing assistance to parish councils etc producing a Neighbourhood Plan or Order.

	<ul style="list-style-type: none"> • Add responding to consultations on Planning, Housing, Transport and Economic Policy. • Move responsibility for CCTV from the Head of Transport and Contract Services to the Head of Planning and Housing. <p>Under the list of delegations to the Head of Corporate Property and Land:</p> <ul style="list-style-type: none"> • Add to serve, receive and act upon legal notices and apply for permissions relating to land and property.
<p>Table 4: Delegations to the Corporate Director of Adult and Health Services</p>	<p>Under 'Executive Functions':</p> <ul style="list-style-type: none"> • Insert 'who have social care needs' in relation to prisoners. • Insert 'AHS' in relation to corporate complaints. • Add delegation to establish and amend a charging policy for Adults Social Care. • Amend wording in relation to violent or sexual offenders. • Insert 'wellbeing' and 'who have social care needs in relation to adults and young persons. • In relation to functions arising under the Care Act 2014, add: <ul style="list-style-type: none"> • Working with the NHS to ensure safe hospital discharge of people with care and support needs. • Providing access to advocacy etc. • To have in place a Safeguarding Adults Board. <p>Under Specific Delegations:</p> <ul style="list-style-type: none"> • Replace 'CCG' with 'North East and North Cumbria ICB'. • Delete reference to the Director of Integrated Community Services. • Delete reference to the Head of Integrated Strategic Commissioning.

	Move delegations to the Director of Public Health to a separate table.
Table 5: Delegations to the Director of Public Health	<ul style="list-style-type: none"> • Move delegations to the Director of Public Health to a separate table and renumber subsequent tables accordingly.
Table 6: Delegations to the Corporate Director of Children and Young People’s Services	<ul style="list-style-type: none"> • Renumber exiting Table 5 as ‘Table 6’. • Add “To act as the statutory officer under section 18(1) of the Children Act 2004” etc. • Add “To manage the Council’s function as Local Education Authority” etc. • Amend wording in relation to mental health services for children and young people. • Delete reference to Cooperation Agreements and Partnerships. • Add reference to section 39(1) of the Crime and Disorder 1998 in relation Youth Justice Services. • Amend wording in respect of SEND services. • Add approval of foster parents and maintenance of an adoption service.
Table 7: Delegations to the Corporate Director of Neighbourhoods and Climate Change	<ul style="list-style-type: none"> • Renumber existing table 6 as ‘Table 7’. • Amend ‘Head of Property and Land’ to ‘Head of Corporate Property and Land’. • Amend ‘Head of Technical Services’ to ‘Head of Highway Services’. • Add planning for refugees and asylum seekers to the matters delegated to Head of Partnerships and Community Engagement.
Table 8: Delegations to the Corporate Director of Resources	<ul style="list-style-type: none"> • Renumber existing table 7 as ‘Table 8’. • Under ‘Executive Functions’, delete reference to: <ul style="list-style-type: none"> ○ Service Review and Improvement; ○ Archives and Records; and ○ Transformation Programme. • Under Transactional and Support Services: <ul style="list-style-type: none"> ○ Add policy development and administration of Government funded financial support schemes;

	<ul style="list-style-type: none"> ○ Move functions relating to council tax from Corporate Finance and Customer Services; ○ Delete repetitious entries; and ○ Make minor amendments to wording. ● Move the following functions from Corporate Finance and Commercial Services to the Head of Legal and Democratic Services: <ul style="list-style-type: none"> ○ Appointment of Assistant Coroners. ○ Payment of Coroner's expenses. ○ Authorisation of expenditure for civic hospitality. ● Under Corporate Finance and Commercial Services: <ul style="list-style-type: none"> ○ Amend wording relating to the exercise of budgetary control functions. ○ Add 'operation and development of the Council's financial systems'. ○ Delete reference to insurance. ○ Delete reference to EU financial sanctions. ● Under Pensions: <ul style="list-style-type: none"> ○ Amend wording relating to payment of death grants. ○ Amend wording relating to dependents' pensions. ○ Amend wording relating to employee admission to Pension Fund. ○ Add reference to Local Pension Board in relation to member training. ○ Amend 'Statement of Investment Principles' to 'Investment Strategy Statement'. ○ Insert reference to 'responsible investment'. ○ Amend wording relating to 'identified risks'. ○ Add provision for 'alternative investments'.
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	<ul style="list-style-type: none"> ○ Add provision for quarterly reporting to the Local Pension Board. ● Move coordination of the Member Training and Development Programme from HR and Employee Services to the Head of Legal and Democratic Services. ● Under HR and Employee Services: <ul style="list-style-type: none"> ○ Amend wording in relation to the offering of alternative employment to employees in potential redundancies situations etc. ○ Add the operation and development of HR and payroll systems. ● Under a new heading 'Procurement, Sales and Business Services' add: <ul style="list-style-type: none"> ○ Contractual approval functions under the Contract Procedure Rules. ○ To ensure appropriate contractual arrangements in relation to receiving goods, works and services. ○ To ensure appropriate procurement arrangements in respect of pooled DCC and NHS (or other partner) monies held by DCC. ○ Approval of contract variations. ○ Authorisation of the collection of income from commercial activities. ○ Authorisation of the use of professional services. ● Move Internal Audit, Fraud, Risk and Governance functions to a separate heading. ● Insert "Maintain effective corporate fraud service". ● Insert Digital Services: <ul style="list-style-type: none"> ○ Taking operational decisions necessary to secure the provision of digital and ICT services and/or discharge statutory functions, including the power to enter into contracts, in accordance with approved policies and Financial Procedure Rules etc.
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	<ul style="list-style-type: none"> • Re-order paragraphs to show functions specifically delegated to the Head of Legal and Democratic Services and add: <ul style="list-style-type: none"> ○ Temporary appointments of Independent Persons. ○ Approval of officer severance payments below £20k. ○ Appointment of Assistant Coroners. ○ Payment of Coroner’s expenses. ○ Authorisation of expenditure for civic hospitality.
Table 9: Delegations for Major Programmes	Renumber existing table 8 as ‘Table 9’.
Part 4: Rules of Procedure	
Council Procedure Rules	<ul style="list-style-type: none"> • Delete rule 4.2 (duration of meetings). • Amend rules 9.3 and 9.9 to require notice of questions to be submitted to a dedicated email address. • Amend rules 9.5 (scope of questions) to apply to both Members and the public and delete rule 9.13. • Amend rule 10.2 to require notice of motions to be submitted to a dedicated email address. • Amend rule 10.7 (time allowed for motions) to provide that the Chair alert the meeting when 15 minutes remaining. • Amend the title of rule 12.2 to “requirement to submit motions in writing”. • Add new rule 22 to give the Chair discretion to make reasonable adjustments for disabled persons.
Executive Procedure Rules	No change.
Overview and Scrutiny Procedure Rules	No change.
Budgetary and Policy Framework Procedure Rules	No change.
Access to Information Procedure Rules	No change.

<p>Financial Procedure Rules</p>	<ul style="list-style-type: none"> • Under paragraph 2 ‘Financial Management: General Roles and Responsibilities’: <ul style="list-style-type: none"> ○ Add additional wording to ‘The Role of the Audit Committee’. ○ Add new paragraph setting out ‘The Role of Overview and Scrutiny Committees’. ○ Add additional wording to ‘The Role of the Chief Finance Officer’. • Under paragraph 3, ‘Financial Planning’: <ul style="list-style-type: none"> ○ Add reference to savings plans. ○ Delete reference to Oracle. • Under paragraph 4, ‘Risk Management and Control of Resources’: <ul style="list-style-type: none"> ○ Add reference to grant funding. ○ Move paragraph dealing with Contracts, Agreements and Purchasing from ‘5. Financial Systems and Procedures’. • Under paragraph 5, ‘Financial Systems and Procedures’: <ul style="list-style-type: none"> ○ Delete reference to the Housing Revenue Account. • At Appendix A: <ul style="list-style-type: none"> ○ Add additional Financial Management Standards. ○ Re-order.
<p>Contract Procedure Rules</p>	<ul style="list-style-type: none"> • At paragraph 3.1.3, delete reference to EU. • At paragraph 3.2.1, amend wording in relation to procurement requests. • At paragraph 4.3, delete reference to the Advice Centre. • At paragraphs 4.4 and 4.8, amend wording in relation to variations. • At paragraph 5.1, insert: <ul style="list-style-type: none"> ○ Payments to external auditors. ○ Services relating to health care. • At paragraph 9.2.3, add additional wording in relation to due diligence.

	<ul style="list-style-type: none"> • At paragraph 10.3, add additional wording in relation to Quick Quotes and Durham-based organisations being first option. • At paragraph 11.4, add additional wording in relation to shortlisting of tenders. • At paragraph 12.3.1, amend wording in relation to electronic submissions. • At paragraph 13.1.1, add 'social value' to evaluation criteria. • At paragraph 15.3.1, add 'less VAT' to contract value. • At paragraph 17.1, delete reference to Advice Centre. • At paragraph 21.1, add additional wording in relation to due diligence and contract monitoring.
Officer Employment Procedure Rules	No change.
Part 5: Codes and Protocols	
Code of Conduct for Members	No change.
Code of Conduct for Employees	Amend wording in relation to the acceptance of token gifts.
Protocol on Member - Officer Relations	No change.
Planning Code	No change.
Highways Committee Representation Procedure	No change.
Part 6: Members Allowances Scheme	
Members Allowances Scheme	No change.