

NORTH NORTHAMPTONSHIRE SHADOW AUTHORITY

SHADOW AUTHORITY MEETING

4th June 2020

Report of the North Northamptonshire Joint Committee Governance
Task and Finish Group.

Report Title	Constitution and Code of Conduct for the North Northamptonshire Shadow Authority
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1. Purpose

1.1 The purpose of this report is to present for approval the draft Constitution (including a draft Code of Conduct) of the North Northamptonshire Shadow Authority.

2. Recommendations

It is recommended that the Shadow Authority:

- i) Notes the work undertaken by the North Northamptonshire Joint Committee's Governance Working Group;
- ii) Approves the draft Constitution for the Shadow Authority as attached at Appendix 1;
- iii) Approves the draft Code of Conduct for Members included within the Constitution;
- iv) Delegates to the interim Monitoring Officer the power to make typographical and non-substantive changes to the approved Constitution as detailed in Article 14 (2.2) of the Draft Constitution; and
- v) Delegates to the interim Monitoring Officer, in consultation with the Chair of the Shadow Authority and the Chair of the Standards Committee, arrangements for the recruitment of Statutory Independent Persons to perform the functions required in relation to standards under Article 10 of the Constitution, and other duties specified in the Constitution or by legislation.

3. Issues and Choices

3.1 Report Background

3.2 The North Northamptonshire Joint Committee at its meetings during 2019/20 received interim reports from the Governance Working Group. The Group had been established to draw-up a draft Constitution for the Shadow Authority. In addition, the Group considered a draft Code of Conduct for Members.

3.3 The Joint Committee at its meetings considered various elements of the draft Constitution, as submitted by the Working Group. Unfortunately the final report from the Group was not received, as the last scheduled Joint Committee meeting due in March 2020 was cancelled due to the current Covid-19 crisis.

3.4 The Constitution has been drawn-up to incorporate an executive form of governance, as stipulated by the legislation creating the Shadow Authority. There are four committees included:-

- Executive Committee
- Overview and Scrutiny Committee
- Senior Appointments Committee
- Standards Committee

3.5 The Constitution makes allowance for the Executive Committee and/or the Overview & Scrutiny Committee to establish Task and Finish Groups and Panels respectively to assist them in fulfilling their respective responsibilities.

3.6 The Constitution contains the normal elements associated with a standard local authority constitution. These include:-

Part 1 – Summary and explanation

Part 2 – Articles

Part 3 – Responsibility for Functions

Part 4 – Procedure Rules

Part 5 – Code of Conduct and Protocols

Part 6 – Members' Allowances Scheme (to be included when agreed)

Part 7 – Management Structure

In addition, a Part 8 has been included which specifically addresses the conduct of "virtual meetings" during the current Covid-19 crisis.

4. Implications (including financial implications)

4.1 Policy

4.1.1 The adoption of the draft Constitution, which includes the Code of Conduct, are fundamental to the establishment of the Shadow Authority.

4.2 Resources and Risk

4.2.1 None specific to this report.

4.3 Legal

4.2.1 The Structural Changes Order (as amended) sets out clearly the functions of the Shadow Authority. The Order specifically requires the adoption of a Code of Conduct at the inaugural meeting of the Shadow Authority.

4.2.2 The adoption of the draft Constitution will provide a clear governance structure to allow the Shadow Authority and its members to continue work on preparations for Vesting Day on 1st April 2021.

4.4 Equality and Health

4.4.1 None specific to this report.

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