

Resources Department  
7 Newington Barrow Way, London N7 7EP

Report of: Deputy Monitoring Officer

Meeting of: Council

Date: 8 December 2022

Ward(s): N/A

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## Subject: Constitution Update

### 1. Synopsis

- 1.1. This report proposes an amendment to the Council's Constitution to ensure it reflects changes in legislation and council policy and remains fit for purpose.

### 2. Recommendations

- 2.1. To approve the amendments to the Constitution as set out in the appendices to the report.

### 3. Background

Proposed amendments to the Constitution are described below and set out in the appendices to this report. Amendments are marked by crossing through in the case of deletions and by underlining in the case of additions.

- 3.1. Amendments to Part 6 – Procurement Rules (Appendix A)  
Amendments are proposed to reflect changes to legislation, following the government's introduction of Procurement Policy Note 10/21. In addition, changes are proposed to update job titles and to clarify the rules for agreeing inflation and indexation clauses in contracts.

- 3.2. Amendments to Part 7 – Members’ Allowances Scheme (Appendix B)  
A number of changes to the Members’ Allowance Scheme are proposed, as detailed in Appendix B.
- 3.3. Amendment to Article 13 - Key Decision Criteria (Appendix C)  
An amendment is proposed to clarify that decisions to receive income over £500,000 revenue or £1,000,000 capital are also considered to be key decisions.

## 4. Implications

### 4.1. Financial Implications

The inclusion of specific requirements in relation to indexation clauses of contracts strengthens the financial control of the authority and therefore improves value for money for residents of the Council’s contracts.

The changes to Members Allowances Scheme will result in approximately £140k additional costs to the Council. Budget provision has been set aside to meet this cost should the change be approved.

The clarification that the key decision threshold applies to income as well as expenditure supports stronger governance and transparency in relation to the decision-making process.

### 4.2. Legal Implications

The Council must keep its Constitution up to date (section 9P Local Government Act 2000).

### 4.3. Environmental Implications and contribution to achieving a net zero carbon Islington by 2030

There are no direct environmental implications resulting as a result of this report.

### 4.4. Equalities Impact Assessment

The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

An Equalities Impact Assessment is not required in relation to this report, because there are no direct impacts on residents.

## 5. Conclusion and reasons for recommendations

- 5.1. This report proposes an amendment to the Constitution to ensure that the document remains up to date and fit for purpose.

### **Appendices:**

Appendix A – Amendments to the Procurement Rules  
Appendix B – Amendments to the Members' Allowances Scheme  
Appendix C – Other Amendments

**Background papers:** None

**Final report clearance:**

Signed by:

**Deputy Monitoring Officer**

Date:

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