

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

FULL COUNCIL – 31 JANUARY 2024

**AMENDMENTS TO AND RE-ADOPTION OF THE COUNCIL'S CONSTITUTION
AND ANNUAL PAY POLICY STATEMENT**

REFERENCE FROM THE ADMINISTRATION COMMITTEE

SUMMARY

The purpose of this report is to recommend the Council to:

- (i) amend, then readopt, the Council's Constitution and
- (ii) adopt the Pay Policy Statement 2024/25.

FOR DECISION

1 BACKGROUND

1.1 On Monday 8 January 2024, Administration Committee received and considered reports on the following matters and are now making the necessary recommendations to full Council:

- (i) Changes to the Constitution – Council Procedure Rules (Standing Orders) - Appendix One;
- (ii) Changes to and Re-adoption of the Constitution - Appendix Two; and
- (iii) Pay Policy Statement 2024/25 - Appendix Three.

Constitution

1.2 The amendments to the Council Procedure Rules and Constitution reflected new legislation, requests from Members, feedback from meetings, and a desire to improve clarity.

1.3 The Administration Committee agreed only one change to the proposed amendment to Standing Orders regarding Public Speaking, namely to replace subsequent to next in the text regarding when a person may register to speak.

1.4 In response to a request to clarify the meaning of 'internal governance board' in the proposed changes to Contract Regulations, officers have provided the following information.

'The purpose of referring to an 'equivalent governance board' in the change to the Constitution was to accommodate parallel arrangements already in place, and avoid duplication of effort or process in endorsing procurement strategy reports and contract award reports before they were presented to decision makers for approval. In addition to the Commercial Assurance Panel, the following boards are already in operation (and would be covered

by the 'equivalent governance board' definition):

- *the Housing Management Procurement Board, which considers capital works and revenue contracts relating to Housing Management (membership includes representatives from Procurement, Finance, Legal and Governance) and,*
- *the Commercial Governance Review Board, a Westminster board covering bi-borough contracts for Adults, Public Health and Children's contracts (the board includes representation from RBKC Procurement and bi-borough finance and legal teams).*

An equivalent governance board will be required to operate in a similar way to the Commercial Assurance Panel, with a key feature being that there is appropriate representation from (and engagement with) officers from legal, procurement, finance and governance in the preparation of decision reports to ensure that full consideration of the implications of a proposed decision have been taken into account by the report author and that the proposed decision is compliant with legislation, is within agreed budgets and meets the Council's governance requirements. This definition will be included in the Procurement Code that sits alongside the Contract Regulations.'

- 1.5 The current version of the Constitution, with in-year amendments, is available online [via this link](#). Since only minor changes are being proposed, which are set out in track changes or bold in Appendices One and Two, the whole Constitution will be published alongside the agenda as an additional paper.

Pay Policy Statement

- 1.6 The adoption of an annual Pay Policy Statement is a statutory requirement for Council to approve every financial year (Section 38(1), Localism Act 2011). The report and supporting paper to the Leadership Team are attached at Appendix Three.

2 RECOMMENDATION

- 2.1 Council is recommended to:
- (i) approve the changes to Standing Orders as set out in track changes in Appendix One;
 - (ii) approve the changes to the Constitution for the following, as set out in track changes and bold in Appendix Two;
 - (iii) readopt the Council's Constitution for 2024/25, incorporating any changes agreed in (i) and (ii) above; and
 - (iv) adoption of the Pay Policy Statement 2024/25 in Appendix Three.

LeVerne Parker
Chief Solicitor & Monitoring Officer

Local Government (Access to Information) Act – Background papers used in the preparation of this report: None other than previously published documents.

Contact officer: Robert Sheppard, Head of Governance & Mayoralty, (E)
robert.sheppard@rbkc.gov.uk(M) 07973 124473