



Audit and Governance Committee

20 June 2024

Title:	Constitution Amendments- Delegation to officers
Report of:	Edwina Adefehinti
Lead Member:	Cllr Edna Murphy
Public Report:	Yes
Key Decision:	No
Voting Arrangements:	N/a

Recommendations:

A	Recommend to the Combined Authority Board that delegations detailed below are approved for the Chief Executive Officer ("CEO")
B	Recommend to the Combined Authority Board that delegations detailed below are approved for the Assistant Director Human Resources ("ADHR")

Strategic Objective(s):

The proposals within this report fit under the following strategic objective(s):

	Achieving ambitious skills and employment opportunities
X	Achieving good growth
	Increased connectivity
X	Enabling resilient communities
X	Achieving Best Value and High Performance

1. Purpose

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| 1.1 | This report seeks the committees views and approval on the draft changes to the constitution below. These changes will empower the CEO and the ADHR to perform their roles more effectively. |
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2. Proposal

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| 2.1 | <p>This committee is asked to approve that the following wording be added to the delegations in the constitution of the CEO.</p> <p>The CEO has delegated authority to:</p> <ul style="list-style-type: none">• Engage with all mayoral candidates leading up to the election of a Mayor for the CPCA• Attend meetings with all mayoral candidates leading up to the election of a Mayor for the CPCA• Provide guidance and support to all mayoral candidates where required. |
| 2.2 | <p>This committee is asked to approve that the following wording be added to the delegations in the constitution of the ADHR;</p> <p>The ADHR has delegated authority to:</p> <ul style="list-style-type: none">• Update relevant parts of the constitution and polices relating to Human resources and employment issues due to changes in statute and case law• Amend errors relating to Human resources and employment issues in relevant parts of the constitution.• Make nonmaterial amendments to processes and policies relating to Human resources and employment issues |

3. Background

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| 3.1 | This committee is aware that with the election of the present Mayor, the Combined Authority had some lapses in inducting the Mayor and preparing the Mayor, the Board, staff and the Authority as whole. |
| 3.2 | One of the requests of this committee was for an induction process to be in place for the present mayor and future mayors. There is now an induction process in place. |
| 3.3 | However, learning from the past, the CEO, CFO and the Monitoring Officer (the three main statutory officers) are keen to ensure that not only is a new mayor is properly inducted but also that the CEO is able to prepare the authority for the arrival of the mayor, considering their manifesto and pledges. |
| 3.4 | <p>The CEO will need to ensure that he knows and understand the priorities of the new Mayor and will need to consider ways of helping them to deliver these. He will need to bring them up to speed on the key issues and provide advice on things like decision making and how they can work effectively with the Board and the Combined Authority as a whole.</p> <p>The CEO will also need to brief members, committees, staff and partners on any changes so everyone understands the new arrangements and their implications and are reassured that Combined Authority business continues.</p> |
| 3.5 | The CEO may have to agree communications strategy and may include things such as signing off press releases. |
| 3.6 | The CEO will therefore have to familiarise themselves with all Mayoral candidates, understand their manifesto commitments and how they differ e.g. strengths, development areas etc. The CEO will need to ascertain priorities (beyond manifesto commitments) and identify any urgent issues or changes to strategic/business plans. Budget will have been set in January but the new Mayor might |

	want an immediate review.
3.7	<p>The CEO will need to clarify immediately how the Mayor intends to work, how they prefer to communicate and use of virtual tools etc; what support arrangements are needed. The CEO will need to ensure the priorities of the new Mayor are understood and will consider ways of helping them deliver these.</p> <p>The CEO may need to allocate an Executive Assistant (EA) to organise everything and be first point of contact plus a PA/diary manager to make sure all the basics are in place e.g diary set up, headed paper, email signatures, business cards. Have all possible templates ready to go.</p> <p>The CEO may will need to prepare an information pack in advance: have information and guidance on hand as soon as it is needed, such as details of the early decisions members will have to take, the Board and committee structure and appointments to external organisations etc</p>
3.8	This paragraph is intentionally left blank
3.9	The ADHR will require to update the constitution and policies when there are changes in law. Amend errors and make nonmaterial amendments to processes and policies relating to Human resources and employment issues.
3.10	Without a delegation, the ADHR will be required to seek approval on minor and statutory amendments from the HR Committee, this committee and the Board which will mean that these errors and statutory requirements are not corrected pending approval. This is not good practice.
3.11	The ADHR will report changes to the HR committee, this committee and Board as required.

4. Appendices

4.1	Draft protocol for communicating with candidates.
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5. Implications

Financial Implications

5.1	There are no immediate direct financial implications as a consequence of the delivery of this report.
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Legal Implications

5.2	This report needs to be seen in the context of the legal and constitutional nature of the Combined Authority itself. Under Section 3 of the Local Government Act 1999 (as amended by s137 of the Local Government & Public Involvement in Health Act 2007), the Combined Authority is under a general duty to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
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Public Health Implications

5.3	This report does have direct public health impacts.
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Environmental & Climate Change Implications

5.4	This report does not have direct environmental & climate change impacts.
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Other Significant Implications

5.5	There are no immediate equality, diversity and inclusion implications as a consequence of the delivery of this report.
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Background Papers

5.6	None
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