

14. ARTICLE 14 - REVIEW AND REVISION OF THE CONSTITUTION

14.1 Duty to Monitor and Review the Constitution

- 14.1.1 The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.
- 14.1.2 The Chief Finance Officer shall be responsible for keeping under review the Financial Procedure Rules set out in Part 4 of the Constitution and shall make any necessary amendments and revisions as are required from time to time. They shall report any amendments made for the next available Council meeting for noting.

14.2 Protocol for Monitoring and Review of the Constitution by the Monitoring Officer

- 14.2.1 A key role for the Monitoring Officer is to make recommendations for ways in which the Constitution could be amended in order to better achieve the purposes set out in Article 1. In undertaking this task, the Monitoring Officer may:
- (i) observe meetings of different parts of the Member and Officer structure;
 - (ii) undertake an audit trail of a sample of decisions;
 - (iii) record and analyse issues raised with him by Members, Officers, the public and other relevant stakeholders; and
 - (iv) compare practices in this Council with those in comparable authorities, or national examples of best practice.

14.3 Changes to the Constitution

14.3.1 Approval

- (i) Subject to Article 14.3.2 below, changes to the Constitution will only be approved by the Council.
- (ii) Where the table of Chief Officers in Article 11 or the Management and Departmental Structure in Part 8 of this Constitution needs to be updated, the Monitoring Officer may make the necessary changes upon receipt of notification from the Head of Paid Service that they have made changes to these designated posts and structures following Council or relevant Committee approval of such changes.

14.3.2 Minor Changes

If, in the reasonable opinion of the Monitoring Officer, a change is:

- (i) a minor variation; or
- (ii) required to be made to remove any inconsistency or ambiguity or to reflect a change in fact or law; or
- (iii) required to be made so as to put into effect any decision of the Council or its Committees,

the Monitoring Officer may make such a change. Any such change made by the Monitoring Officer shall come into force with immediate effect.

14.3.3 Legislative Changes

- (i) Any part of the Constitution may be amended by the Monitoring Officer where such amendment is required to be made so as to comply with any legislative provision.
- (ii) Such amendments shall take effect when the Monitoring Officer so decides or the legislation where relevant so provides. Such changes shall be reported to the next available Council meeting for noting.