



## Joint Report of the Presiding Member, Monitoring Officer & Head of Democratic Services

Council – 3 December 2020

### Amendments to the Council Constitution

<b>Purpose:</b>	To note the Monitoring Officer amendments to the Council Constitution following management and staffing changes to the Social Services Directorate.
<b>Policy Framework:</b>	Council Constitution.
<b>Consultation:</b>	Deputy Chief Executive / Director of Social Services, Access to Services, Finance and Legal
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<b>Access to Services Officer:</b>	Rhian Millar
<b>For Information</b>	

#### 1. Introduction

- 1.1 In compliance with the Local Government Act 2000, the City and County of Swansea has adopted a Council Constitution. From time to time it is necessary to review the Council Constitution in line with legislative requirements and to ensure good governance arrangements.

#### 2. Delegated Minor Corrections to the Council Constitution

- 2.1 Article 15 “Review and Revision of the Constitution” allows the Monitoring Officer to make changes / updates to the Council Constitution in relation to:
- Legislation;
  - Changes to the Officer structure or changes of responsibility within the Officer Structure;
  - The need to correct any administrative or typing errors.

- 2.2 Changes to the Council Constitution which fall under the sub paragraphs above may be made solely by the Monitoring Officer.
- 2.3 The Monitoring Officer has amended Article 12 “Officers” in order to reflect changes that have been made to the Officer structure within the Social Services Directorate.

**3. Part 2 “Articles of the Constitution” - “Article 12 “Officers”**

- 3.1 In light of changes to Part 7 “Management Structure” of the Council Constitution, there was a requirement to amend Article 12 - Officers in the Constitution which sets out the various functions and areas of responsibility of Chief Officers.
- 3.2 The relevant extracts of Article 12 is shown below. The Monitoring Officer has amended this by making some deletions and additions. The deletions are shown as ~~strikethrough~~ and the additions in red:

“3 *Council Designated Posts*  
*The Council will designate the following posts as shown:*

<b>Post</b>	<b>Designation</b>
<i>Director of Social Services</i>	<p><del><i>Director of Social Services. Section 6 of the Local Authority Social Services Act 1970 states that “A Local Authority in Wales shall appoint an Officer, to be known as the Director of Social Services, for the purposes of their social services functions.</i></del></p> <p><i>Director of Social Services. Part 8 s 144 Social Service and Wellbeing (Wales) Act 2014 states that “a local authority must appoint an officer, to be known as its director of social services, for the purposes of its social services functions.</i></p>

“10 *Functions of the Director of Social Services*

- a) ***Designation as Director of Social Services***  
~~*The Chief Social Services Officer is to be the officer known as the Director of Social Services for the purposes of the Authority’s statutory social services functions. S/he will be required to provide clear professional leadership across Social Services and will have overall responsibility for Social Services workforce planning, training and professional development.”*~~

**Background Papers:** None

**Appendices:** None