

2ND JULY, 2025

REPORT NO. DEM2506

CONSTITUTION AND COMMITTEE REVIEW UPDATE (2)

1. INTRODUCTION

- 1.1 The Council's Constitution is intended to facilitate council business. It sets out how the Council operates, how decisions are made, and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. The Council has a responsibility to monitor its Constitution, and to ensure that it is kept up to date.
- 1.2 At its meeting on 22nd May 2025, the Corporate Governance, Audit and Standards Committee (CGAS) considered [Report No. DEM2505 'Constitution and Committee Review Update'](#). The Committee approved updates to the Constitution for recommendation to the Council, and proposals to take forward the Committee Review Recommendations.
- 1.3 On taking forward the Committee Review recommendations, it was agreed that the Constitution Working Group be asked to consider the detailed terms of reference for the committees created from the proposed separation of the CGAS Committee's functions. Also, the modifications needed to the terms of reference of the Policy and Project Advisory Board (PPAB) and Overview and Scrutiny Committee (OSC) to incorporate committee review proposals including a new Programme Management Group to co-ordinate work programmes. It was agreed that the recommendations from the Constitution Working Group be reported back to members of the CGAS Committee in advance of a final report on recommendations for updates to the Constitution being made to the Council in July.
- 1.4 The cross-party Constitution Working Group considered the following documents and matters in further detail at its meeting on 23rd June 2025, and the latest versions are attached with this report:
 - The schedule of proposed updates to be made to the Constitution including the wording of the update to the Code of Conduct for Councillors in respect of core training (**Appendix 1**).
 - Revised Standing Orders for the Regulation of Business to reflect the inclusion of the new provision for 'Questions by the Public', and the

creation of a new 'Audit & Governance Committee' and 'Licensing & Corporate Business Committee' (**Appendix 2**).

- The Scheme for Questions by the Public (**Appendix 3**)
- Revised Terms of Reference proposed for the new 'Audit & Governance Committee' and 'Licensing & Corporate Business Committee', along with updates made to the terms of reference of the Overview and Scrutiny Committee and Policy and Project Advisory Board (**Appendix 4**)
- The schedule showing the record of updates made to the Constitution since the last review report to Council in February 2023 (**Appendix 5**).

1.5 Subject to any further comments raised by the Committee, the proposed updates to the Council's Constitution as set out in appendices 1 to 5 shall be recommended to the Council in July, in alignment with the recommendations agreed in May.

2. **SUMMARY OF UPDATES**

Code of Conduct for councillors

2.1 Following discussion with the Constitution Working Group, the following wording is proposed to be inserted as new Para 2 of the Code of Conduct for Councillors:

"TRAINING PROVIDED BY THE COUNCIL

Training shall be provided by the Council to help ensure that you are equipped to act appropriately in your councillor role.

All councillors are strongly encouraged to undertake the following core training which shall be provided for all new councillors as part of the new member induction programme, and with an expectation that councillors will attend refresher training to keep up to date. Training shall be offered so that there is flexibility in access; typically, the training will be offered as either attendance at a training session either in person/online, a recording to watch back or via on-line modules.

Core Training for all Councillors:

- **Code of Conduct for Councillors**
- **Information Governance** (to ensure councillors are aware of their data controller responsibilities under GDPR as a ward councillor)
- **Cyber Security and Information Security** (for Rushmoor Outlook account users/using Rushmoor IT kit)

- **Safeguarding Training** (to ensure councillors are aware of duty to report safeguarding concerns, and how to respond as a ward councillor).

In addition, councillors who are involved in quasi-judicial decision making as members of the **Development Management Committee** or on **Licensing Hearings** need to undertake training to meet the legal requirements for participation.”

Scheme for Questions by the Public

- 2.2 Following consideration by the Constitution Working Group, further additions are proposed to the ‘Scheme for Questions by the Public’ at full Council which are shown as track changes in **Appendix 3** to this Report. The additions clarify that all Members shall be notified of public questions submitted in advance of the Council Meeting, that a record of public questions shall be maintained and available on the website, and a questioner will be advised the reason why a question has been refused for the agenda if it has to be rejected.

Summary of Updates to Terms of Reference of Committees

- 2.3 Further to the Committee Review recommendations, it is proposed to separate the functions of the CGAS Committee, with new terms of reference created for a new ‘Audit & Governance Committee’ and new ‘Licensing & Corporate Governance Committee’, and some revisions are proposed to the Overview and Scrutiny Committee (OSC) and Policy & Project Advisory Board (PPAB). This is set out in **Appendix 4** (attached), where there is a both a copy of the changes shown by track changes and a clean copy for ease of reading.
- 2.4 The revisions to the OSC and PPAB terms of reference can be summarised as follows:
- (1) Inserting reference to a new Programme Management Group. This is the body proposed to enable co-ordination of work programmes for OSC, PPAB and the committee with responsibility for audit & governance – to reduce duplication and help make best use of resources.
 - (2) Updates to the sections on the arrangements for work programmes as a result of the new Programme Management Group.
 - (3) Deleting reference to Progress Groups
 - (4) Re-ordering of the functions and responsibilities within the OSC terms of reference for clarity and to reduce duplication. Key responsibilities

are for performance management, review of existing policy, and review of decisions.

- (5) Inserting additional explanation in the OSC terms of reference that some roles of overview and scrutiny are shared with other committees – the ‘policy development’ role is undertaken by PPAB, and responsibility for scrutinising the Council's framework of internal controls and assurance for managing risk and overall activity rests with the Audit and Governance Committee.
- (6) Emphasis in the PPAB terms of reference that the Board's work programme shall engage with the Cabinet Work Programme and Council Plan priorities. PPAB provides support to the Cabinet with policy development on matters that will help deliver agreed Council Plan priorities.

3. **NEXT STEPS**

- 3.1 Subject to Council approval, the timescale for the implementation of the changes to the committee structure are for the new arrangements to take effect from October 2025 onwards following the Council Meeting in the autumn, and final approval of changes to Standing Orders.
- 3.2 Further work and planning to implement new arrangements shall be carried out between July and September including details for the proposed new Programme Management Group, follow up around councillor appointments and dates of future meetings, and preliminary work to prepare for an Independent Remuneration Panel to meet in late 2025.

4. **CONCLUSIONS AND RECOMMENDATION**

- 4.1 Changes are proposed to the content of the Constitution to ensure that the provisions remain up-to-date, and the Council continues to work effectively to meet the needs of the wider Council Membership.

Subject to any amendments agreed by the Committee, it is **recommended to the Council** that a revised and updated Constitution be adopted.

The revisions to comprise: -

- (1) All proposed new amendments to the Constitution as described in the schedule in Appendix 1;
- (2) Updates to the Standing Orders for the Regulation of Business and Scheme for Public Questions as set out in Appendix 2 and Appendix 3;

- (3) Updates to the Terms of Reference for Committees; 'Role and Responsibilities of Council Decision-Making Committees', 'Overview and Scrutiny Committee - Terms of Reference' and 'Policy & Project Advisory Board – Terms of Reference as set out in Appendix 4;
- (4) An update to the Code of Conduct for Councillors as set out in Para 2.1 above; and
- (5) All previously agreed amendments and updates to the Constitution since the last review in February 2023 as set out in the schedule in Appendix 5.

Note: In accordance with Council Procedure Rule 29 (1), the proposed amendments to the Standing Orders for the Regulation of Business including the Scheme for Public Questions will stand adjourned to the following Council Meeting.

The decision-making structure of the Council as described in the proposed amendments to Standing Orders shall therefore be implemented from October 2025 onwards subject to Council approval.

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A copy of the Council's Constitution is available to view on the Council's website:
[The constitution - Rushmoor Borough Council](#)