

### Committee Report Checklist

Please submit the completed checklists with your report. If final draft report does not include all the information/sign offs required, your item will be delayed until the next meeting cycle.

#### Stage 1

##### Report checklist – responsibility of report owner

ITEM	Yes / No	Date
Councillor engagement / input from Chair prior to briefing	Y	26/01/26
Commissioner engagement (if report focused on issues of concern to Commissioners such as Finance, Assets etc)	N	
Relevant Group Head review	Y	13/02/26
MAT+ review (to have been circulated <b>at least 5 working days before Stage 2</b> )	N/A	
This item is on the Forward Plan for the relevant committee	N	
	<b>Reviewed by</b>	
Finance comments (circulate to Finance)	LH	13/02/26
Risk comments (circulate to Lee O'Neil)	LH	13/02/26
Legal comments (circulate to Legal team)	LH	13/02/26
HR comments (if applicable)		

For reports with material financial or legal implications the author should engage with the respective teams at the outset and receive input to their reports prior to asking for MO or s151 comments.

Do not forward to stage 2 unless all the above have been completed.

#### Stage 2

##### Report checklist – responsibility of report owner

ITEM	Completed by	Date
Monitoring Officer commentary – at least <b>5 working days before MAT</b>	L Heron	13/02/26
S151 Officer commentary – at least <b>5 working days before MAT</b>	T.Collier	17/2/26
Confirm final report cleared by MAT		



# Standards Committee

25 February 2026

<b>Title</b>	Amendments to the Constitution
<b>Purpose of the report</b>	To make a decision and a recommendation to Council
<b>Report Author</b>	Linda Heron, Group Head Corporate Governance and Monitoring Officer
<b>Ward(s) Affected</b>	All Wards
<b>Exempt</b>	No
<b>Exemption Reason</b>	N/A
<b>Corporate Priority</b>	This item is not in the current list of Corporate Priorities but still requires a Committee decision.
<b>Recommendations</b>	<p><b>Committee is asked to:</b></p> <ol style="list-style-type: none"> <li>1. Approve the proposed changes to the Constitution; and</li> <li>2. Recommend to Council that the Constitution be amended.</li> </ol>
<b>Reason for Recommendation</b>	To ensure that the Constitution supports good governance.

**1. Executive summary of the report** (*expand detail in Key Issues section below*)

What is the situation	Why we want to do something
<ul style="list-style-type: none"> <li>• The Council’s internal auditor Southern Internal Audit Partnership (SIAP) identified areas of governance that require attention</li> <li>• Proposed updated risk management arrangements require changes to the Constitution</li> </ul>	<ul style="list-style-type: none"> <li>• To ensure that the Council’s constitution supports good governance</li> </ul>
This is what we want to do about it	These are the next steps

<ul style="list-style-type: none"> <li>Address matters raised by internal auditors and external consultant by amending the Council’s Constitution as necessary</li> </ul>	<ul style="list-style-type: none"> <li>Seek Council approval to amend the Constitution as set out in this report</li> </ul>
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## 2. Key issues

- 2.1 This report seeks a recommendation to Council to approve amendments to the Constitution.
- 2.2 The Committee System Working Group (CSWG) is responsible for considering whether any amendments are required to the Constitution and making recommendations on these to the Standards Committee.
- 2.3 The proposed changes to the Constitution were discussed with, and received the support of, the Committee System Working Group on 26 January 2026.
- 2.4 The proposed amendments relate to the following provisions:
- the terms of reference for Audit Committee in Part 3(b);
  - the terms of reference for Standards Committee in Part 3(b);
  - Delegations to officers in Part 3(d); and
  - Access to Information Rules in Part 4(g).
- 2.5 The proposed revised terms of reference for Audit Committee have been considered in detail by the Audit Committee on 27 November 2025 under [agenda item 8 – Review of Effectiveness of Audit Committee](#) and the supporting report sets out all pertinent detail. The Committee resolved to agree the revised terms of reference for consideration by the Committee System Working Group (minute 71/25). The proposed new terms of reference for Audit Committee are appended to this report as Appendix 1.
- 2.6 In November 2025 the Council’s internal auditor SIAP undertook an audit of the Council’s Decision Making and Accountability. This audit returned overall Reasonable Assurance, but made certain observations which necessitate changes to the Constitution in order to address the points made. These are as follows:
- Part 3 section b – Terms of Reference for Standards Committee: erroneous reference to “Hearing Panels” instead of "Sub-Committee" (please see Appendix 2 for ease of reference);
  - Part 3 section d – Delegations to officers, more specifically para 3.3 authority to sign and seal documents. In order to bring this provision in line with the current and the proposed new Contract Standing Orders, and generally offer a degree of future proof, it is proposed that the following wording is deleted “... including legal advice being obtained for contracts over £20,000”. The revised delegation is set out in full in Appendix 3 and will read as follows:  

“3.3 Authority to sign all contracts and agreements (unless under seal) for expenditure within their service budget or for no value within their service area PROVIDED that Contract Standing Orders have been followed”;

- Part 4 section g – Access to Information Rules, more specifically para 11 The Forward Plan. In order to reflect standard operational practice and align ourselves with other authorities in Surrey, it is proposed to delete sub-paras (d)-(g) inclusive in para 11.2 as shown in Appendix 4.

### **3. Options appraisal and proposal**

- 3.1 Approve the proposed constitutional changes as set out in this report and recommend to Council for approval (recommended option).

This option ensures that the various matters raised by the internal auditor and the recommendations from external consultant within the context of changes to Audit Committee are fully addressed. This, in turn, ensures that the Council's Constitution is robust and fit for purpose and therefore this option delivers the best long term benefit.

- 3.2 Approve the proposed constitutional changes in part as may be agreed by this Committee.

- 3.3 This option enables targeted amendments to be considered and recommended to Council, providing the Committee with the flexibility to prioritise and address those issues it identifies as the most immediate or high-priority

The proposed changes in their entirety are required in order to address the issues identified in the current governance structure, therefore, this option is not recommended because it does not deliver improved governance.

- 3.4 Do not approve any changes and retain the existing Constitution.

This option is not recommended as it fails to address known issues and does not support continuous improvement in governance.

### **4. Risk implications**

- 4.1 The proposed Constitutional changes are intended to strengthen the Council's governance framework and ensure transparency and fitness for purpose.

These also reflect observations from the Council's internal auditor and recommendation from external consultant.

- 4.2 Failure to give these proposals due consideration and not recommending for approval may result in compliance risks (continuous ambiguity, reduced transparency in decision making and increased likelihood of challenge) and reputational risks (concerns about reduced accountability, fairness and transparency).

### **5. Financial implications**

- 5.1 None arising directly from this report.

## **6. Legal comments**

- 6.1 The Council has a statutory obligation to prepare a constitution and keep it up to date (Section 9P of the Local Government Act 2000).
- 6.2 The procedure for making changes to the Council's Constitution is set out in Article 13 of the Constitution.
- 6.3 The amendments set out in the body of this report is a matter for full Council.

## **Corporate implications**

### **7. S151 Officer comments**

- 7.1 The S151 Officer confirms that all financial implications have been taken into account, as stated above there are no direct financial implications arising from the recommendations set out in the report.

### **8. Monitoring Officer comments**

- 8.1 The Monitoring Officer confirms that the relevant legal implications have been taken into account.

### **9. Procurement comments**

- 9.1 There are no procurement implications arising directly from this report.

### **10. Equality and Diversity**

- 10.1 The proposed constitutional changes are in line with the Council's obligations under the Public Sector Equality Duty. It is not anticipated that the proposed changes will have a negative impact on groups with protected characteristics. The revised Constitution will continue to ensure that the decision making process remains transparent, inclusive and fully accessible.
- 10.2 The Council will monitor the impact and will address any issues identified through further amendments as appropriate.

### **11. Sustainability/Climate Change Implications**

- 11.1 None arising directly from this report.

### **12. Other considerations**

- 12.1 No other considerations have been identified.

### **13. Timetable for implementation**

- 13.1 A recommendation from Standards Committee will be considered by Council at its meeting on 26 February 2025.

## **14. Contact**

14.1 Linda Heron, Group Head Corporate Governance and Monitoring Officer  
[l.heron@spelthorne.gov.uk](mailto:l.heron@spelthorne.gov.uk)

***Please submit any material questions to the Committee Chair and Officer  
Contact by two days in advance of the meeting.***

### **Background papers:**

**Audit Committee meeting on 27 November 2025, agenda item 8 – Review of  
Effectiveness of Audit Committee**

### **Appendices:**

**Appendix 1 – revised Terms of Reference for Audit Committee**

**Appendix 2 – revised Terms of Reference for Standards Committee**

**Appendix 3 – revised Part 3(d) of the Constitution: Delegations to officers (in  
track change)**

**Appendix 4 – revised Part 4(g) of the Constitution: Access to information  
rules (in track change)**