

**Proposed Revisions to the Constitution (Reference from Corporate Governance and Audit Committee (CGAC))**

<b>Meeting:</b>	<b>Council</b>
<b>Date:</b>	<b>11<sup>th</sup> March 2026</b>
<b>Cabinet Member</b> (if applicable)	<b>Cllr Nosheen Dad</b>
<b>Key Decision Eligible for Call In</b>	<b>No No</b>
<p><b>Purpose of Report</b></p> <p>To seek the approval of the proposed changes to the council's constitution set out in paragraph 2 of this report and in more detail in the Appendices (including the report to CGAC). The report is referred from the Council's CGAC, which has in main recommended the proposed updates, with some of its own recommended amendments.</p>	
<p><b>Recommendations</b></p> <p>That CGAC recommends that Council:-</p> <ul style="list-style-type: none"> <li>• Notes the changes made to the Constitution in 2024-2025 listed in Appendix A</li> <li>• Approves the proposed changes to the Constitution set out in section 2 of the report considered by CGAC.</li> </ul> <p><b>Reasons for Recommendations</b></p> <ul style="list-style-type: none"> <li>• It is essential that the Council's Constitution is regularly reviewed and updated to ensure that it remains fit for purpose and to enable Council meetings to be conducted in a fair, business like and effective manner.</li> <li>• It is also essential that the Constitution complies with current legislation, as failure to do so could lead to challenges, unnecessary procedural delays and less transparency in the Council's democratic process.</li> </ul>	
<p><b>Resource Implications:</b></p> <p>None</p>	

<b>Date signed off by Executive Director &amp; name</b>	<b>Rachel Spencer-Henshall – 3<sup>rd</sup> March 2026</b>
<b>Is it also signed off by the Service Director for Finance?</b>	<b>Kevin Mulvaney</b>
<b>Is it also signed off by the Service Director for Legal Governance and Commissioning?</b>	<b>Samantha Lawton – 3<sup>rd</sup> March 2026</b>

**Electoral wards affected: All**

**Ward councillors consulted: None**

**Public or private: Public**

**Has GDPR been considered? Yes**

## **1. Executive Summary**

- 1.1 The Council's CGAC considered a number of reports and appendices contained here as appendices at its meeting on the 20<sup>th</sup> February 2026.
- 1.2 The report set out a number of proposed changes to the council's constitution which are described in paragraph 2 of the CGA report at Appendix F and in the appendices to that report.
- 1.3 It also set out a number of issues to note including:
  - Changes made to the constitution by the monitoring officer using delegated powers during the 2024/25 municipal year – these are set out in Appendix A
  - Other changes made during the year which do not require council consent – these are set out in Appendix A
  - The ongoing work to keep the council's constitution under review
  - The work of the cross party Constitution Working Group in considering the Constitution
  - That all parts of the Constitution have been reviewed, but not all parts were in need of any amendment
- 1.4 The CGAC recommended an amendment to add a time limit to the WYCA update report set out in Appendix C and this has now been incorporated into the Appendix attached to this report.

## **2. Information required to take a decision**

### **2.1 Safeguarding Protocol – Part 5.10**

This protocol has been rewritten and brought up to date. Details are in Appendix B.

### **2.2 Council Procedure Rules (CPRs) – Part 4.1**

A number of changes have been proposed and these are detailed in Appendix C.

CGA proposed that a time limit in respect of the WYCA update be incorporated and this is now in the document at Appendix C.

### **2.3 Protocol for Public Speaking at Planning Committee – Part 5.7**

Minor amendments have been proposed and these can be seen at Appendix D.

### **2.4 Responsibility for Council (Non-Executive) Functions Part 3.3 Corporate Governance and Audit Committee – Terms of Reference**

There are minor amendments to the Terms of Reference, set out in Appendix E.

### **2.5 Responsibility for Council (Non-Executive) Functions Appeals Panel – Terms of Reference**

An amendment is proposed to require panel members to undertake suitable training.

## **3. Implications for the Council**

### **3.1 Working with People**

N/A

### **3.2 Working with Partners**

N/A

### **3.3 Place based Working**

N/A

### **3.4 Climate Change and Air Quality**

N/A

### **3.5 Improving Outcomes for Children**

N/A

### **3.6 Financial Implications**

N/A

### **3.7 Legal Implications**

Regular review of the Constitution will ensure that Kirklees Council is operating lawfully and will also aim to identify any areas where there may be ambiguity with a view to providing clarity.

### **3.8 Other (e.g. Risk, Integrated Impact Assessment or Human Resources)**

N/A

## **4. Consultation**

A number of relevant officers have been consulted and the views of the Constitution Working Group have been key in forming the proposed amendments.

The Corporate, Governance and Audit committee discussed the proposed changes and overall were supportive of the report.

## **5. Engagement**

None

## **6. Options**

### **6.1 Options Considered**

We are required to review the constitution. Any proposed amendments where there may be options are set out in the report.

### **6.2 Reasons for Recommended Option**

As above

## **7. Next steps and timelines**

Any amendments subsequently agreed by Council will be incorporated into the Constitution.

## **8. Contact officer**

Samantha Lawton – Service Director – Legal, Governance and Commissioning  
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## **9. Background Papers and History of Decisions**

Report to CGA - [Agenda Document CGAC](#)  
Decision notice CGA - [Decisions CGAC.pdf](#)

## **10. Appendices**

Appendix A – Monitoring Officer Delegations  
Appendix B – Safeguarding Protocol  
Appendix C – Council Procedure Rules  
Appendix D – Protocol for Public Speaking at Planning Committees  
Appendix E – CGA Terms of Reference  
Appendix F – report to CGA 20<sup>th</sup> February 2026

## **11. Service Director responsible**

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