

Report to: West Yorkshire Combined Authority

Date: 23 June 2022

Subject: **Constitutional Arrangements**

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Is this a key decision?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for call-in by Scrutiny?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information or appendices?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If relevant, state paragraph number of Schedule 12A, Local Government Act 1972, Part 1:	
Are there implications for equality and diversity?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

1. Purpose of this report

- 1.1 To confirm the West Yorkshire Combined Authority's (Combined Authority) Constitutional arrangements, in so far as these are not otherwise approved on this agenda.

2. Information

- 2.1 At the Combined Authority's annual meeting in 2021, Members approved a new Constitution. The Combined Authority is asked to approve its Constitution documents on an annual basis, to ensure all documents remain up to date and fit for purpose.
- 2.2 To note, the Head of Legal and Governance Services has approved a number of minor amendments for updating and clarification purposes, under her delegated authority, throughout the municipal year.
- 2.3 The Combined Authority is now asked to approve the Constitution documents for the new municipal year. The amendments are outlined below and attached within the appendices. Any documents which have not been substantially amended, are not attached, but are [linked here](#). As the Constitution is relatively new, the changes proposed below constitute some minor amendments together with two substantive but moderate proposed revisions.

- 2.4 Attached as **Appendix 1** is a table which sets out all proposed minor amendments to the Constitution which are consequential to changes made in other items in this agenda, or to correct typographical errors.
- 2.5 In terms of substantive amendments, there are two proposed. Firstly, it is proposed that the Combined Authority's Contracts Standing Orders are amended to allow for the use of the e-signatures as an alternative to 'wet' signatures, to support and recognise the new ways of working. An extract from Contract Standing Orders showing the proposed amendments highlighted is attached as **Appendix 2**.
- 2.6 The second proposed amendment is consequential on the move to decision making committees. Following the review of the committee structure in the previous municipal year, the Combined Authority resolved all committees would become decision-making, and in the main private sector Members became non-voting. As a result of their being non-voting, they have fallen outside of the scope of the Conflicts of Interest Policy and Conflicts of Interest Protocol – loans or grants to businesses.
- 2.7 As non-voting members remain influential on committees and following consultation with the Head of Business Support in Economic Services, it is proposed that the scope of the Conflicts of Interest Policy and Conflicts of Interest Protocol – loans or grants to businesses is extended to include non-voting Members. It is proposed that rather than any sign-off being escalated to the Managing Director in the case of non-voting Members, this could be done at Director level. Attached as **Appendix 3 and 4** respectively, are the Conflicts of Interest Policy and Conflicts of Interest Protocol – loans or grants to businesses, encompassing these changes.

3. Tackling the Climate Emergency Implications

- 3.1. There are no climate emergency implications directly arising from this report.

4. Inclusive Growth Implications

- 4.1. Contracts Standing Orders provide for addressing social value in relation to procurements.

5. Equality and Diversity Implications

- 5.1. There are no equality and diversity implications directly arising from this report.

6. Financial Implications

- 6.1. None.

7. Legal Implications

7.1 The Combined Authority may amend its Constitutional documents, including standing orders at any time. The proposed amendments ensure that standing orders and other Constitution documents are up to date and fit for purpose.

8. Staffing Implications

8.1. None.

9. External Consultees

9.1. No external consultations have been undertaken.

10. Recommendations

10.1 That the Combined Authority approves:

10.1.1. the minor amendments to Constitution documents as set out at Appendix 1,

10.1.2. the amendments to the Contracts Standing Orders, as attached at Appendix 2,

10.1.3. the amendments to the Conflicts of Interest Policy, as attached at Appendix 3, and,

10.1.4. the amended Conflicts of Interest Protocol – loans or grants to businesses, as attached as Appendix 4.

10.2 That the Combined Authority approve the remaining, unamended Constitution documents [linked here](#), for the next municipal year.

11. Background Documents

11.1 None.

12. Appendices

Appendix 1 – Table overview of proposed minor amendments to the Constitution,

Appendix 2 – draft revised extract from Contracts Standing Orders,

Appendix 3 – draft Conflicts of Interest Policy,

Appendix 4 – draft Conflicts of Interest Protocol – loans or grants to businesses.