

London Borough of Waltham Forest

Report Title	Minor Amendments to the Constitution: • Employment Procedure Rules and Staffing Committee Terms of Reference, • Committee Procedure Rules, • Scrutiny Committee Terms of Reference
Meeting / Date	Council, 16 July 2026
Directorate	Resources
Report author/ Contact details	Rianna Terry – Assistant Director of Leadership and Democracy Rianna.terry@walthamforest.gov.uk Emily Wood – Head of Democratic Services emily.wood@walthamforest.gov.uk
Wards affected	None specifically
Public access	Open
Appendices	Appendix 1 – Employment Procedure Rules – tracked changes Appendix 2 – Staffing Committee Terms of Reference – tracked changes Appendix 3 – Committee Procedure Rules – tracked changes Appendix 4 – Scrutiny Committee Terms of Reference – tracked changes

1. Summary
 - 1.1. A series of minor amendments to the Constitution are proposed, these are mainly to ensure clarity and consistency and addressing ambiguity.
 - 1.2. All amendments are proposed following endorsement by the Constitution Working Group and Audit and Governance Committee.
 - 1.3. An amendment to the Employment Procedure Rules and Staffing Committee Terms of Reference are required to address ambiguity in the delegation of temporary/interim appointments and an addition for clarity around nuanced reporting lines since the recent senior management structure, including not requiring appointments by the Staffing Committee in those circumstances.

- 1.4. There is also a proposal to adopt a formalised quorum for Staffing Committee to 4 members (3 plus the Chair).
- 1.5. An amendment to Part 4b - Committee Procedure Rules is proposed. The amendment introduces a new section relating to Councillor attendance at committee and sub-committee meetings.
- 1.6. An amendment to Part 7 – Terms of Reference for Overview and Scrutiny Committees, of the Council's Constitution is proposed. The amendment concerns the membership of Coordinating Scrutiny Committee and suggests the addition of members to readdress political balance on the Committee.

2. Recommendation

- 2.1. Council is recommended to approve:
 - 2.1.1. The proposed changes to the Employment Procedure Rules at Appendix 1, and
 - 2.1.2. The proposed changes to the Staffing Committee Terms of Reference at Appendix 2, and
 - 2.1.3. The proposed changes to the Committee Procedure Rules at Appendix 3, and
 - 2.1.4. The proposed changes to the Scrutiny Committee Terms of Reference at Appendix 4.

3. Background

Employment Procedure Rules and Staffing Committee Terms of Reference

- 3.1. The Employment Procedure Rules were last reviewed and updated in October 2024 as part of amendment to address changes in the Council's senior officer structure, correcting a contradiction in the delegation of interim/temporary appointments to Corporate Directors and extending the delegation of temporary interim appointments of Strategic Directors to the Chief Executive.
- 3.2. This update to the rules although provided some clarity, did not state a time limit on temporary appointment and currently state that any interim appointment is exempt from Staffing Committee, leaving some ambiguity in interpretation. Most other London Boroughs that have a delegation for interim or temporary appointments have a stipulation that the appointment can only be up to one year, and any longer term requires Staffing Committee approval. The proposal is to implement this one-year limit on temporary appointments under delegation and to implement that any new role within the establishment (even if temporary) at tier 1 or 2 of the organisation will require Staffing Committee approval for the first appointment.
- 3.3. Additionally, following the recent Senior Management Restructure, there is a need to provide clarity on the now nuanced reporting structure of the

organisation. There should be no direct Corporate Director to Corporate Director reporting lines, with specific exemptions agreed with the Chief Executive. The rules currently define a Deputy Chief Officer as tier 2 of the organisation and reporting into a direct report of the Head of Paid Service and paid a Corporate Director salary as defined in the annual pay policy statement. The rules state these posts should be appointed through Staffing Committee.

- 3.4. There are some roles that do not satisfy the tier 2 point of reporting directly into a direct report of Head of Paid service, but they are paid CD pay and are not mentioned as an exclusion to Staffing Committee requirements. Therefore, the proposal is to clarify this nuanced reporting line and make it clear that director reporting to director appointments (those not tier 2 of the organisation) are exempt from Staffing Committee.

Committee Procedure Rules

- 3.5. The Committee Procedure Rules provide the framework for the conduct of committee meetings. While arrangements relating to Councillor attendance are understood in practice, specifically around non-members of the committee that is meeting, they are not currently set out as a clearly defined section within the rules. It is therefore proposed to formalise these arrangements to improve clarity and transparency.

Scrutiny Committee Terms of Reference

- 3.6. Following the Scrutiny Improvement Review in 2023, the structure and remits of each Scrutiny Committee were added as an Appendix to the Overview and Scrutiny Terms of Reference. This appendix also contained information on Committee membership and meeting frequency.
- 3.7. In February 2026, following a short review, a rationalisation of Scrutiny Committees that involved merging Budget Scrutiny with Coordinating Scrutiny, was agreed by Full Council. In May 2026, Full Council did not appoint to the Joint Health Scrutiny Lead role. This means there has been a reduction in 2 roles that were included on the membership of Coordinating Scrutiny Committee.
- 3.8. Following the gifting of Chair roles by the Green Group to both Labour and Conservative Groups, there is currently 3 Green, 3 Labour and 2 Conservative members on the Coordinating Scrutiny, meaning the majority group does not have a majority on this committee. Although adopted by Council previously for political balance to not apply to this Committee, this proposal seeks to readdress this agreement.
- 3.9. Constitution Working Group have suggested renaming the Coordinating Scrutiny Committee to 'Budget, Performance and Coordinating Scrutiny Committee' to better reflect the remit of the committee.

4. Proposal

Employment Procedure Rules and Staffing Committee Terms of Reference

- 4.1. It is proposed that the Employment Procedure Rules and Staffing Committee Terms of Reference be amended as set out in Appendix 1 and 2 to achieve the following:
 - 4.1.1. Clarity around director reporting to director appointments – sections 1.4.1, 1.4.2, 6.1. and Appendix A in the Employment Procedure Rules have been amended to achieve this.
 - 4.1.2. Implement a one-year limit on temporary appointments – sections 6.2., 6.2.2. and 6.2.4. in the Employment Procedure Rules have been amended to achieve this.
 - 4.1.3. Formalise the quorum of Staffing Committee to 3 members plus the Chair – sections 4.3. in the Employment Procedure Rules and 1.5. in the committee Terms of Reference have been amended to reflect this.
 - 4.1.4. Clarity around the roles within the establishment that require Staffing Committee approval – sections 6.2.4. and Appendix A in the Employment Procedure Rules have been amended to achieve this.

Committee Procedure Rules

- 4.2. The proposed amendment amends the current section around attendance to clarify the status of non-committee members attending committee meetings.
 - 4.2.1. At 13.2 outline the position of members that attend meetings they are not a member of, meaning they cannot vote in proceedings and participation is at Chair discretion with consent of the Committee.

Scrutiny Committee Terms of Reference

- 4.3. The proposed amendment seeks to readdress proportionality on Coordinating Scrutiny where Chair roles have been gifted to other groups. It suggests appointing up to 4 additional members, as well as the Chair of Coordinating and individual Scrutiny Chairs. It is not a requirement to appoint to the full 4 additional members.
- 4.4. Coordinating Scrutiny Committee will continue to not be subject to political balance, except for the 4 additional members that are not Chairs, which should be appointed proportionally.

5. Options and Alternatives

Employment Procedure Rules and Staffing Committee Terms of Reference

- 5.1. No change to the rules and terms of reference:
- 5.2. This would not amend any of the ambiguities that currently exist in the rules; therefore, it is recommended to rectify to ensure consistent application of the rules.

Committee Procedure Rules

- 5.3. No change to the rules
- 5.4. Not changing the rules would mean a longstanding precedent is not formally written in the constitution. If any member were to ask the question, although it could be advised, it is not formally adopted by Council at the moment.

Scrutiny Committee Terms of Reference

- 5.5. No change to the appendix of the terms of reference.
- 5.6. Not changing the membership would mean that Coordinating Scrutiny remains unbalanced politically, particularly if the Green Group were to continue gifting Chairs in future. Whilst Council can adopt any arrangement for committees, forgoing proportionality, this change would be a step to rebalance the existing difference on this Committee.

6. Consultation

- 6.1. The Constitution Working Group and the Audit and Governance Committee have endorsed the changes to the Employment Procedure Rules, Staffing Committee Terms of Reference, Committee Procedure Rules and the Scrutiny Committee Terms of Reference. Relevant officers have been consulted on proposed changes.

7. Implications

7.1. Finance, Value for Money and Risk

- 7.1.1. There are no direct financial implications arising from the recommendations in this report.
- 7.1.2. Individual appointments made under the proposed delegations in the Employment Procedure Rules must be published and will set out any financial implications arising from the appointment in specific detail.

7.2. Legal

- 7.2.1. It is a legal requirement to have a Constitution, and it is important that it is reviewed from time to time to reflect changes in legislation

and good practice. The document gives effect to the law and is indispensable to the legal framework in which the organisation operates.

7.3. Equalities and Diversity

7.3.1. There are no specific equality implications arising from the recommendations in this report.

7.4. Sustainability (including climate change, health, crime and disorder).

7.4.1. There are no specific sustainability implications arising from the recommendations in this report.

7.5. Council Infrastructure (e.g. human resources, accommodation or IT issues)

7.5.1. There are no specific implications arising from the recommendations in this report.

Background Information (as defined by Local Government (Access to Information) Act 1985)

None.