

# **PART 1**

## **SUMMARY AND CONTENTS**

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**The Council’s Constitution**

The City Council’s Constitution 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. Many of these processes are required by the law, while others are a matter for the Council to choose

The Constitution has been written to ensure the Council’s values to:-

1. deliver the results that people want
2. operate as one Council
3. challenge each other to improve the organisation
4. empower individuals and teams to make accountable decisions

Are at the heart of all decision making.

**What’s in the Constitution?**

The Council’s Constitution is divided into 20 parts as follows:

| Section | Contents                                    |
|---------|---|
| Part 1  | Summary and Contents                        |
| Part 2  | Articles of the Constitution                |
| Part 3  | Responsibility for Functions                |
| Part 4  | Council Procedure Rules                     |
| Part 5  | Committee Procedure Rules                   |
| Part 6  | Access to Information Procedure Rules       |
| Part 7  | Budget and Policy Framework Procedure Rules |
| Part 8  | Financial Regulations                       |
| Part 9  | Procurement Code                            |
| Part 10 | Employment Procedure Rules                  |
| Part 11 | Members’ Code of Conduct                    |
| Part 12 | Planning Good Practice Protocol             |
| Part 13 | Protocol for Member Officer Relations       |
| Part 14 | Employees Code of Conduct                   |
| Part 15 | Group Leaders Protocol                      |
| Part 16 | Members’ Allowances                         |
| Part 17 | Management Structure                        |
| Part 18 | Scheme of Delegation to Officers            |
| Part 19 | Councillor Duties                           |
| Part 20 | Council Information                         |

The Articles of the Constitution take precedence over all other parts of the Constitution and can only be changed by full Council. They describe the overall political and administrative structure of the Council. This includes a description of Councillors, the Council and Committees. It also describes the senior officers of the Council, how decisions are made particularly with respect to financial, contractual and legal matters. (Part 2).

The remainder of the Constitution (Parts 3- Part 20) contain more detailed rules about who takes decisions; how the Council and Committees operate; access to information; the

Budget and Policy Framework; finance, procurement and employment; various codes and protocols and the management structure.

### **How the Council operates**

The Council has 35 councillors elected for a four year term. Councillors are democratically accountable to residents of their ward. The overriding duty of councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them.

Councillors have to agree to follow a code of conduct to ensure high standards in the way they undertake their duties. (Part 11) The Standards Committee trains and advises them on the code of conduct.

All Councillors meet together as the Council. Meetings of the Council are normally open to the public. Here Councillors decide the Council's overall policies and set the budget each year, known as the budget and policy framework. The Council will elect the Leader of the Council, the Deputy Leader and the Chairs and Vice-chairs of Committees each year.

### **HOW DECISIONS ARE MADE**

The Council has a Committee form of governance which comprises Policy Committees and Regulatory Committees. The Policy Committees are responsible for implementing the budget and policy framework as agreed by full Council and decisions must be in line with the Council's overall policies and budget. All members of the Council are entitled to a seat on one of the Policy Committees. The Policy Committees are the part of the Council with responsibility for most day-to-day decisions. Meetings of the Policy Committees will generally be open for the public to attend except where personal or confidential matters are being discussed. If a Policy Committee wishes to make a decision which is outside the budget or policy framework, this must be referred to the Council as a whole to decide.

### **FINANCIAL AND PERFORMANCE MANAGEMENT AND SCRUTINY OF MATTERS OF LOCAL CONCERN**

Each of the Policy Committees has a role in monitoring the financial and performance of specific areas of Council business. In addition, the Policy Committees are able to undertake the scrutiny of matters of local concern outside of the functions of the Council.

The Regulatory Committees are responsible for specific functions of the Council, for example planning and licensing.

### **AUDIT COMMITTEE**

The Audit Committee is one of the Council's Regulatory Committees and it is a key component of the Council's corporate governance. It provides an independent and high level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards. It is responsible for approving the Council's annual statement of accounts.

### **The Council's Staff**

The Council has employees working for it to give advice, implement decisions and manage the day-to-day delivery of its services. They are employed by, and responsible to the whole Council and not any political party. Some employees have a specific duty to ensure that the Council acts within the law and uses its resources wisely. A protocol governs the relationships between Officers and Members of the Council.

### **Rights for local people to engage in Council decision making**

Local people have a number of rights in their dealings with the Council. These are set out in more detail in Article 3 of Part 2 of the Constitution. Some of these are legal rights, whilst others depend on the Council's own processes. Local people are able to attend public meetings of the Council and the Council has rules of procedure which permit public participation. The local Citizens' Advice Bureau can advise on individuals' legal rights.