

PART 1

SUMMARY AND EXPLANATION

What's in the Constitution?

The Constitution sets out how the Council works and the procedures that make sure it takes efficient, transparent and accountable decisions.

The Articles explain the purpose of the Constitution and commit the Council to working within its principles and within the law.

They also cover:-

- Who the members of the Council are
- Citizens and the Council
- The Full Council
- The Mayor
- The Executive
- Select (Overview and Scrutiny) Committees
- Regulatory and other committees
- The Standards Committee
- Joint arrangements and partnerships
- Officers of the Council
- Decision-making
- Finance, contracts and legal matters
- Review and changes to the Constitution
- Suspension, interpretation and publication of the Constitution

How the Council works

There are 43 councillors elected every four years. Councillors' overriding duty is to the whole community but they have a special duty to their constituents, including those who did not vote for them.

Councillors have signed up to a code of conduct and the Standards Committee makes sure they are properly trained and advised.

All Councillors meet together as Full Council. Meetings of the Council are open to the public. Full Council decides the overall policies and sets the budget each year. It is also responsible for electing the Leader and for setting up the Committees.

How decisions are made

The Executive makes most of the day-to-day decisions. It is made up of the Leader and no fewer than two nor more than ten other elected members of the Council. The method of appointment is set out in the Council Procedure

Rules. Each member of the Executive has a “portfolio” of work allocated to them by the Leader of the Council. For example, environmental health, housing and community safety. All decisions taken are published in the Executive’s Forward Plan. Meetings are open to the public except where certain confidential matters are being discussed. The Executive makes decisions that are within the Council’s budget and policy framework.

Challenging Executive decisions

Council set up four Select Committees to support the work the Executive does and to provide scrutiny and challenge. They can, for example, hold public inquiries into matters of local concern. These can lead to recommendations to the Executive on its policy, budget or service delivery matters. Select committees can ‘call-in’ a decision made by the Executive. They can recommend that the Executive reconsiders the decision. They can also be asked by the Executive to advise on aspects of policy development.

The Council’s Staff

Council staff are known as ‘officers’. They give advice, take and implement decisions and manage the day-to-day delivery of its services. Some officers have a specific duty to make sure the Council acts within the law and uses its resources wisely. A protocol governs the relationship between officers and members of the Council. This is included in Part 5 of the Constitution.

Citizens’ Rights

Citizens have the right to:

- vote at local elections if they are registered;
- contact their local councillor about any matters of concern;
- obtain a copy of the Constitution;
- attend meetings of the Council and its committees except when confidential matters are being discussed;
- petition to have an elected mayor instead of an Executive;
- find out what decisions are to be taken by the Executive and when;
- attend meetings of the Executive except when confidential matters are being discussed;
- see reports, background papers and minutes of decisions made by the Council, its committees and the Executive;
- complain to the Council using the complaints procedure;
- Complain to the Ombudsman if they think the Council has not followed its procedures properly. They must use the Council’s own complaints procedure first;
- Complain to the Standards Board for England if they believe a councillor has not followed the Council’s Code of Conduct;
- Make a request for information under the Freedom of Information Act; and
- Inspect the Council’s accounts and make their views known to the external auditor.