

ARTICLE 12 - DECISION MAKING

12.01 Responsibility for decision making

The Council will issue and keep up to date a record of what Committees, sub-committees, and Officers have responsibility for particular types of decisions or decisions relating to particular areas or functions. This record is set out in Part 3 of the Constitution. If there is a conflict between Part 3 and any other part of this Constitution as to delegations and responsibilities, Part 3 will prevail.

12.02 Principles of decision making

All decisions of the Council will be made in accordance with the following principles:

PRINCIPLES OF DECISION MAKING

- (a) proportionality (i.e. the action must be proportionate to the desired outcome);
- (b) due consultation and the taking of professional advice from Officers;
- (c) respect for human rights;
- (d) a presumption in favour of openness; and
- (e) clarity of aims and desired outcomes.

12.03 Decision making by Council bodies acting as Tribunals

The Council, a Committee, or an Officer acting as a tribunal or in a quasi-judicial manner will follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention of Human Rights. The same applies when the decision maker is determining the civil rights and obligations, or the criminal responsibility, of any person.