# Runnymede Borough Council

## New Member Induction - Council Constitution

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Runnymede
BOROUGH COUNCIL

# Council Constitution

A local authority is under a legal duty to prepare and keep up to date its constitution – Local Government Act 2000.

The Constitution must contain:
- the standing orders;
- the Members Code of Conduct;
- such information as the Secretary of State may direct;
- such other information (if any) as the authority considers appropriate.

- Constitutions must be available for inspection at all reasonable hours by members of the public and supplied to anyone who asks for a copy on payment of a reasonable fee.
- A Constitution Direction was issued by the Secretary of State in December 2000 that required around 80 matters to be included within constitutions, covering members' allowances schemes, details of procedures for meetings, details of joint arrangements with other local authorities and a description of the rights of inhabitants of the area, amongst other things.

Council reviews its Constitution every year

- Work undertaken by officers in collaboration with Members via the Constitution Member Party.

Review looks at things like:

- What works well;

- What could be improved;

- Is the structure right and does it work (length/articles/summary etc.)?

- Is it sufficiently "public facing" - can people express their views at meetings adequately?

- Are complaints and other processes (e.g. FoIA) clear?

- New legislation - has it been picked up?

- Are the schemes of delegation up to date, understandable and all encompassing?

Council Constitution divided into 7 parts:

Part 1 – Summary and Explanation
Part 2 – Articles of the Constitution
Part 3 – Responsibility for Functions
Part 4 – Rules of Procedure, Standing Orders and
              Financial Regulations
Part 5 – Codes of Conduct and Protocols
Part 6 – Members' Allowance Scheme
Part 7 – Management Structure

# Part 1 – Summary and Explanation

- Explains what role Constitution plays in work of Council

- Explains how Council works

- Explains about Council staff

- Explains what 'rights' residents have – In reality very limited rights so to speak

# Part 2 – Articles of Constitution

Contains 15 Articles which set out various principles which govern the way the Council will operate and deals with things like:

- Who are Members of the Council
- Relationship of residents and Council
- Role of Mayor
- Role of various committees
- Role of officers
- Decision making

# Part 3 – Responsibility for Functions

Sets out the responsibilities and functions of various parts of the Council.

- Committee responsibilities i.e. what areas do they cover

- Scheme of delegations to officers i.e. what can they do

- Process for consulting Members on matters

# Part 4 – Rules of Procedure

This section contains various rules governing the way in which the Council operates.

Of most importance to Members are the Council, Committee and Administrative Standing Orders.

They explain how meetings are conducted.

# Part 4 – Rules of Procedure (cont.)

This section also contains rules on:

- How Council enters into contracts
- Buys or sells land
- How Overview and Scrutiny Select Committee works
- Access to Information
- Budget and Policy Framework
- Financial Regulations

# Part 5 – Codes of Conduct and Protocols

As the title implies this section contains a large number of documents which regulate behaviour of not only Members but also staff.

The contents of this section help the Council to demonstrate probity and good governance .

Part 5 – Codes of Conduct and Protocols (cont.)

Of most importance to Members is the Code of Conduct for Members.

This sets out the standard of behaviour expected of Members and what interests they have to declare.

If you have an interest in a matter it may preclude you from making a decision on it.

Part 5 – Codes of Conduct and Protocols (cont.)

The section goes on to deal with issues such as:

- Gifts and Hospitality
- Protocol for Member use of Council property
- Member IT Protocol
- Member Planning Code of Good Practice
- Licensing Code of Conduct
- Member/Officer Protocol

# Part 5 – Codes of Conduct and Protocols (cont.)

- Code of Corporate Governance
- Anti-Fraud and Corruption Policy
- Whistleblowing Policy
- Code of Conduct for Staff
- Staff email/internet policy
- Publicity and Media Handling Protocol
- Monitoring Officer Protocol

# Part 6 – Members' Allowance Scheme

You have stood for and been elected to public office.

This role will be time consuming and to acknowledge the commitment you will make you receive an allowance.

I would stress this is not a salary or remuneration.

# Part 6 – Members' Allowance Scheme (cont.)

The Scheme is decided upon by the Council after it has received recommendations from a panel it appoints.

The panel is drawn from local people who apply to sit on.

Reviews take place every four years.

Part 6 – Members' Allowance Scheme (cont.)

Each Member gets what is called a Basic Allowance.

It is not based on the level of attendance.

For those who hold certain positions, chair meetings or sit on Planning Committee you will also receive what is called a Special Responsibility Allowance (SRA).

The SRA is designed to reflect that certain roles require a greater time commitment.

# Part 6 – Members' Allowance Scheme (cont.)

The Scheme also deals with things such as:

- Dependants' Carers' Allowance

- Travelling and Subsistence Allowances

- Forgoing Allowances

- Time Limits for Claims

# Part 7 – Management Structure

This simply consists of a diagram setting out the senior management structure of the Council.

It allows you and the public know what departments the Council has and which officers manage which parts of the Council.

To Conclude

The Council's Constitution is in essence the place a person can go to in order to understand how the Council works.

As an elected Member you are not expected to know it inside out.

What you should do is to become familiar with the various parts I have highlighted.

# Any questions?