

Article 1: The constitution

1.0 Purpose of the Constitution

The purpose of the constitution is to set the frameworks within which the Council operates and in particular to:

- 1 enable the Council to provide clear leadership to the community in partnership with citizens, partners, businesses and other organisations
- 2 support the active involvement of citizens in the process of local authority decision-making
- 3 help councillors represent their constituents more effectively
- 4 enable decisions to be taken efficiently and effectively
- 5 create a powerful and effective means of holding decision-makers to public account
- 6 ensure that no person will review or scrutinise a decision in which he or she was directly involved
- 7 ensure that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for decisions
- 8 provide a means of improving the delivery of services to the community.

1.02 Interpretation and review of the constitution

Where the constitution permits the Council to choose between different courses of action, the Council will always choose that option which it thinks is closest to the purposes stated above.

The Council will monitor and evaluate the operation of the constitution as set out in Article 11.

1.03 Definitions

For the purposes of this constitution:

- (a) Where appropriate, any reference to a **member** includes a co-opted member (that is a member who is not a member of the Council but who is entitled to attend the committee or sub-committee on which they sit and may have voting rights).
- (b) The following staff are **Chief Officers**:

1. Head of Paid Service (i.e. the Chief Executive)
2. Director of Children's Services (appointed under s.18 Education Act 2004) (i.e. the Director of Children's Services)
3. Director of Adult Social Services (appointed under s.6(A1) Local Authority Social Services Act 1970) (i.e. the Director of Adults and Health)
4. the s.151 Officer (i.e. the Chief Operating Officer)
5. Director of Public Health
6. Any person who for most of their duties (other than clerical or administrative) reports directly to the Head of Paid Service or directly to the Council or a committee or sub-committee of the Council.

Those in categories 1 – 5 are statutory chief officers, those in category 6 are non-statutory chief officers.

- (c) **Deputy Chief Officers** are staff who for all or most of their duties report directly to or are directly accountable to a Chief Officer.
- (d) **SLT Directors** are the Directors of Adult Social Services, Children's Services, Neighbourhoods, the Chief Operating Officer and the oneSource Managing Director
- (e) **Second Tier Managers** are senior managers reporting to an SLT Director
- (f) **Third Tier Managers** are senior managers reporting to a Second Tier Manager
- (g) **"Policy Framework"** means the following plans and strategies (which are statutory, except where shown otherwise):

Documents that together make up the Development Framework

Licensing and Gambling Authority Policy Statement

Youth Justice Plan

Corporate Plan (non-statutory)

Crime and Disorder Reduction Partnership Strategy

A plan or strategy for the control of the authority's borrowing, investments or capital expenditure

- (h) **"Budget"** includes the allocation of financial resources to different services and projects, proposed contingency funds, the council tax base, setting the council tax and decisions relating to the control of the Council's borrowing requirements, the control of its capital expenditure and the setting of virement limits. For the purpose of the Budget Framework Procedure Rules and the Policy Framework Procedure Rules, the budget shall not include reserves and balances.
- (i) **"Housing land transfer"** means the approval or adoption of applications (whether in draft form or not) to the Secretary of State for approval of a programme of disposal of 500 or more properties to a person under the Leasehold Reform, Housing and Urban Development Act 1993 or to dispose of land used for residential purposes where approval is required under sections 32 or 43 of the Housing Act 1985.