

## CONTENTS

SECTION 1 .....	1
1. Introduction .....	1
1.1 Purpose and Content of the Constitution.....	1
1.2 How the Council Operates .....	1
SECTION 2 .....	3
2. Purpose, Definition, Interpretation and Amendment of the Constitution.....	3
2.1 Purpose of the Constitution.....	3
2.2 Definitions in the Constitution.....	3
2.3 Interpretation of the Constitution .....	6
2.4 Duty to Monitor and Review the Constitution .....	7
2.5 Protocol for Monitoring and Review of Constitution by Monitoring Officer .....	7
2.6 Changes to the Constitution.....	7
2.7 Suspension of the Constitution .....	8
2.8 Publication .....	8
SECTION 3 .....	9
3. Getting Information and Getting Involved .....	9
3.1 Getting Information .....	9
3.2 Getting Involved - Members of the Public.....	10
3.3 Getting Involved – Members .....	12
SECTION 4 .....	14
4. Full Council .....	14
4.1 Introduction.....	14
4.2 The Policy Framework .....	14
4.3 The Single Integrated Plan .....	15
4.4 Budget .....	15
4.5 Housing Land Transfer .....	15
4.6 Functions of the Full Council.....	15

4.7	Membership.....	16
4.8	Council Meetings .....	17
4.9	Rules of Procedure and Debate .....	17
4.10	Council Procedure Rules - Annual Meeting of the Council .....	18
4.11	Ordinary Meetings .....	19
4.12	Extraordinary Meetings .....	19
4.13	Time and Place of Meetings.....	20
4.14	Notice of and Summons to Meetings .....	20
4.15	Chair of Meeting .....	20
4.16	Quorum.....	20
4.17	Questions by the Public .....	20
4.18	Questions by Members .....	21
4.19	Motions on Notice .....	23
4.20	Motions without Notice.....	23
4.21	Rules of Debate .....	24
4.22	Previous Decisions and Motions .....	27
4.23	Voting .....	28
4.24	Minutes .....	29
4.25	Exclusion of Public.....	29
4.26	Members' Conduct.....	29
4.27	Disturbance by Public .....	30
4.28	Filming and Recording During Meetings .....	30
4.29	Suspension and Amendment of Council Procedure Rules .....	31
4.30	Family Absence for Members .....	31
4.31	Application to Committees and Sub Committees .....	32

SECTION 5 .....	33
5. The Executive ("Cabinet") .....	33
5.1 Introduction .....	33
5.2 Form and Composition of the Executive.....	33
5.3 Leader .....	33
5.4 Deputy Leader .....	33
5.5 Other Executive Members.....	34
5.6 Delegation of Functions .....	34
5.7 Rules of Procedure and Debate.....	34
5.8 Executive Procedure Rules.....	34
SECTION 6 .....	38
6. The Leader.....	38
6.1 Election and Term of Office.....	38
6.2 Deputy Leader .....	38
6.3 Functions and Delegated Authority .....	38
SECTION 7 .....	40
7. Overview and Scrutiny Committees.....	40
7.1 Introduction .....	40
7.2 Scrutiny Committees.....	40
7.3 Role, Scope and Terms of Reference .....	41
7.4 Specific Functions.....	42
7.5 Head of Democratic Services.....	43
7.6 Who May Sit on Scrutiny Committees? .....	44
7.7 Co-Optees .....	44
7.8 Education Representatives .....	44
7.9 Who Chairs? .....	44
7.10 Role of the Chairmen of the Scrutiny Committees.....	45
7.11 Work Programme.....	45

7.12	Meetings .....	45
7.13	Joint Scrutiny Committees .....	45
7.14	Rules of Procedure and Debate .....	45
7.15	What will be the Number and Arrangements for Scrutiny Committees? .....	46
7.16	Agenda Items.....	46
7.17	Policy Review and Development.....	47
7.18	Reports from the Scrutiny Committees.....	47
7.19	Making Sure that Scrutiny Reports are Considered by the Executive.....	48
7.20	Rights of Members of the Scrutiny Committees to Documents.....	49
7.21	Members and Officers Giving Account.....	49
7.22	Attendance by Other Members of the Council.....	49
7.23	Attendance by Others .....	50
7.24	Call-In .....	50
7.25	The Party Whip .....	52
7.26	Procedure at Scrutiny Committee Meetings .....	52
7.27	Matters within the Remit of more than one Scrutiny Committee .....	53
7.28	Councillor Call for Action.....	53
7.29	Public Speaking at Scrutiny Committees.....	53
SECTION 8 .....		54
8.	The Standards Committee .....	54
8.1	Composition.....	54
8.2	Term of Office .....	54
8.3	Quorum.....	54
8.4	Voting .....	55
8.5	Community Committee Member.....	55
8.6	Chairing the Committee .....	55
8.7	Role and Function.....	55

SECTION 9 .....	57
9. Regulatory Committees.....	57
9.1 Regulatory and Other Committees.....	57
9.2 The Audit Committee .....	57
9.3 The Democratic Services Committee.....	57
9.4 Other Committees and Sub-Committees.....	57
9.5 Rules of Procedure and Debate.....	58
SECTION 10.....	59
10. Joint Committees .....	59
10.1 Introduction.....	59
10.2 Arrangements to Promote Wellbeing .....	59
10.3 Joint Arrangements.....	59
10.4 Access to Information .....	59
10.5 Delegation to and from Other Local Authorities.....	60
10.6 Contracting Out.....	60
SECTION 11.....	61
11. Officers .....	61
11.1 Management Structure .....	61
11.2 Functions of the Head of Paid Service .....	62
11.3 Functions of the Monitoring Officer .....	63
11.4 Functions of the Chief Finance Officer .....	64
11.5 Functions of the Head of Democratic Services.....	65
11.6 Duty to Provide Sufficient Resources to the Head of Paid Service, Monitoring Officer, Chief Finance Officer and Head of Democratic Services .....	66
11.7 Conduct .....	66
11.8 Employment.....	67
11.9 Officer Employment Procedure Rules .....	67

SECTION 12.....	72
12. Finance, Contracts and Legal Matters.....	72
12.1 Financial Management.....	72
12.2 Contracts.....	72
12.3 Legal Proceedings.....	72
12.4 Authentication of Documents.....	72
12.5 Common Seal of the Council.....	73
SECTION 13.....	74
13. Responsibility for Functions - Summary.....	74
13.1 Who can be Decision-Makers?.....	74
13.2 Principles of Decision-Making.....	74
13.3 Functions - Categories.....	75
13.4 Other Bodies.....	75
13.5 Who Decides – Non-Executive Functions?.....	75
13.6 Who Decides – Executive Functions?.....	76
13.7 Removal of Delegation.....	76
13.8 Who May Exercise Officer Delegations?.....	76
13.9 Responsibility for Functions – Summary of Schedules.....	76
13.10 Schedule 1 - Functions not to be the responsibility of an Authority's Executive.....	77
13.11 Schedule 2 - Local Choice Executive Functions.....	90
13.12 Schedule 3 - Local Choice Council Functions.....	92
13.13 Schedule 4 - Council Functions: Plans and Strategies.....	94
13.14 Schedule 5 - Mandatory Executive Functions.....	96
13.15 Schedule 6 - Mandatory Council Functions.....	97
13.16 Responsibility for Council Functions: Committees' Terms of Reference.....	98

SECTION 14.....	112
14. Access to Information Procedure Rules .....	112
14.1 Scope .....	112
14.2 Additional Rights to Information .....	112
14.3 Rights to Attend Meetings.....	112
14.4 Notices of Meeting .....	112
14.5 Access to Agenda and Reports Before the Meeting.....	112
14.6 Supply of Copies.....	112
14.7 Access to Minutes etc. after the Meeting.....	113
14.8 Background Papers .....	113
14.9 Summary of Public's Rights .....	113
14.10 Exclusion of Access by the Public to Meetings.....	113
14.11 Public Interest Test .....	116
14.12 Exclusion of Access by the Public to Reports.....	117
14.13 The Forward Work Programme.....	117
14.14 Consultation on Proposals to be Considered by the Executive .....	118
14.15 Record of Decisions of the Executive.....	119
14.16 Decisions by an Individual Member of the Executive.....	120
14.17 Scrutiny Committees and Members' Access to Documents .....	120
14.18 Additional Rights of Access for Members of Scrutiny Committees .....	121
SECTION 15.....	122
15. Budget and Policy Framework Procedure Rules .....	122
15.1 The Framework for Executive Decisions .....	122
15.2 Process for Developing the Budget and Policy Framework.....	122
15.3 Decisions Outside the Budget or Policy Framework.....	123
15.4 Urgent Decisions Contrary to the Budget or Policy Framework.....	123
15.5 Virement .....	124
15.6 In-Year Changes to Budget and Policy Framework.....	125

15.7	Call-In of Decisions Outside the Budget or Policy Framework.....	125
SECTION 16.....		127
16.	Financial Procedure Rules .....	128
16.1	General.....	128
16.2	Roles and Responsibilities .....	128
16.3	Budget .....	131
16.4	Authority to Incur and Control Capital Expenditure.....	131
16.5	Authority to Incur and Control Revenue Expenditure.....	132
16.6	Accounting.....	134
16.7	Audit .....	135
16.8	Assets and Land Dealings .....	136
16.9	Banking Arrangements .....	137
16.10	Income.....	137
16.11	Money Laundering .....	138
16.12	Insurance.....	139
16.13	Inventories .....	140
16.14	Stocks and Stores.....	140
16.15	Security.....	140
16.16	Data Protection, Freedom of Information and Regulation of Investigatory Powers Acts.....	141
16.17	Risk Mangement .....	142
16.18	Salaries and Wages .....	142
16.19	Travelling and Subsistence Allowances.....	143
16.20	Treasury Management .....	143
16.21	Procurement.....	145
16.22	Payment of Accounts .....	145
16.23	Leasing Arrangements .....	145
16.24	Imprest Accounts (Petty Cash etc.) .....	145

16.25	Value Added Tax.....	146
16.26	Unofficial Funds .....	147
16.27	Financial Procedure Notes .....	147
16.28	Review and Amendments of Financial Procedure Rules .....	147
SECTION 17.....		148
17.	Contracts Procedure Rules .....	148
17.1	Introduction.....	149
17.2	Chief Officers.....	149
17.3	Basic Principles .....	149
17.4	Waiver of These Contracts Procedure Rules .....	151
17.5	Advertising.....	153
17.6	Relevant Contracts .....	153
17.7	Risk Assessments .....	154
17.8	Approved Lists and Framework Agreements .....	154
17.9	Procurement Valuation .....	155
17.10	Pre-Tender Market Testing and Consultation.....	155
17.11	Invitation to Tender / Request for Quotations.....	155
17.12	Evaluation Criteria and Standards.....	155
17.13	Submission, Receipt and Opening of Tenders / Quotations .....	157
17.14	Post-Tender Negotiations .....	157
17.15	Evaluation, Award of Contract and Debriefing of Organisations .....	158
17.16	Contract Documents .....	158
17.17	Legal Services Review of Tenders and Contracts.....	159
17.18	Prevention of Bribery and Corruption .....	159
17.19	Declarations of Interest.....	159
17.20	Contract Management / Monitoring .....	159
17.21	Internal Providers.....	160
17.22	External Body Grant Funding.....	160

17.23	Review and Amendments of Contracts Procedure Rules .....	160
SECTION 18.....		161
18.	Code of Conduct for Members .....	161
18.1	Interpretation.....	161
18.2	General Provisions.....	162
18.3	Interests.....	165
18.4	The Register of Members' Interests .....	171
Appendix 1: Conduct of Members - The Principles.....		173
Appendix 2: Protocol - Standard of Conduct Expected by Members .....		175
Appendix 3: Local Dispute Resolution Procedure for Dealing with Low Level Allegations of Breaches of the Members' Code of Conduct and the Vale of Glamorgan Council's Protocol - Standard of Conduct Expected by Members .....		177
SECTION 19.....		186
19.	Guides to Public Speaking at Committees.....	186
19.1	Guide to Public Speaking at Planning Committee.....	186
19.2	Guide to Public Speaking at a Scrutiny Committee Meeting .....	189
SECTION 20.....		195
20.	Code of Conduct for Qualifying Employees of the Council .....	195
20.1	General Principles .....	195
20.2	Accountability.....	195
20.3	Political Neutrality .....	195
20.4	Relations with Members, the Public and Other Employees .....	195
20.5	Equality.....	196
20.6	Stewardship.....	196
20.7	Personal Interests.....	196
20.8	Whistleblowing.....	196
20.9	Treatment of Information.....	196
20.10	Appointment of Staff .....	197
20.11	Investigations by Monitoring Officer .....	197

SECTION 21.....	198
21. Protocol on Member / Officer Relations .....	198
21.1 Introduction .....	198
21.2 Principles .....	198
21.3 Informed Decision-Making .....	199
21.4 Officer Accountability .....	199
21.5 Recruitment .....	199
21.6 Scrutiny.....	199
21.7 Information for Members .....	199
21.8 Members as Customers.....	200
SECTION 22.....	201
22. Code of Corporate Governance .....	201
22.1 Introduction.....	202
22.2 Why Adopt a Code of Corporate Governance? .....	202
22.3 What is Corporate Governance?.....	203
22.4 Why do we need a Code of Corporate Governance? .....	203
22.5 The Vale of Glamorgan Council's Principles of Good Governance.....	204
22.6 Monitoring and Review .....	220
22.7 The Annual Governance Statement .....	221
SECTION 23.....	222
23. Confidential Reporting (“Whistleblowing Policy”) Code.....	222
23.1 Introduction.....	222
23.2 Standards in Council Procedures.....	222
23.3 Additional Standards.....	223
23.4 Key Responsibilities.....	224
23.5 Responsible Officer.....	224
23.6 Guidelines for Staff .....	224
23.7 Raising Your Concerns .....	225

23.8	Protection for the "Whistleblower" .....	227
23.9	Guidelines for Managers.....	229
23.10	How the Council Will Respond.....	230
23.11	Training and Communication .....	231
23.12	Some Final Notes .....	231
23.13	Protection .....	232
23.14	Free and Confidential Advice .....	233
SECTION 24.....		234
24.	Member Role Descriptions .....	234
24.1	Elected Member Role Description.....	234
24.2	Leader (and Deputy) Role Description .....	236
24.3	Deputy Leader .....	238
24.4	Cabinet Member Role Description .....	238
24.5	Chairman of the Council Role Description.....	240
24.6	Vice-Chairman.....	241
24.7	Chairman of Democratic Services Committee Role Description .....	241
24.8	Member of a Democratic Services Committee Role Description .....	243
24.9	Chairman of a Regulatory Committee Role Description .....	244
24.10	Member of a Regulatory Committee Role Description.....	245
24.11	Chairman of Standards Committee Role Description .....	246
24.12	Member of Standards Committee Role Description.....	247
24.13	Chairman of Audit Committee Role Description .....	248
24.14	Member of Audit Committee Role Description.....	250
24.15	Scrutiny Committee Chairman Role Description .....	251
24.16	Scrutiny Committee Member Role Description.....	252
24.17	Leader of Opposition Groups Role Description .....	254
24.18	Role of the Deputy Leader of Opposition Groups.....	255
24.19	Member Champion Purpose and Role .....	255

24.20	Member Champion Role Description .....	256
24.21	Elected Member Person Specification .....	257
24.22	Leader Person Specification .....	258
24.23	Cabinet Member Person Specification .....	259
24.24	Chairman of the Council Person Specification .....	261
24.25	Chairman of Regulatory Committee Person Specification .....	261
24.26	Regulatory Committee Member Person Specification .....	262
24.27	Scrutiny Committee Chairman Person Specification .....	263
24.28	Scrutiny Committee Member Person Specification .....	264
24.29	Leader of Opposition Groups Person Specification .....	265
24.30	Member Champion Person Specification .....	266
SECTION 25.....		267
25.	Officer Delegations.....	270
SECTION 26.....		325
26.	Members' Allowances Scheme.....	325
26.1	Basic Salary.....	326
26.2	Senior Salaries .....	326
26.3	Co-opted Members' Allowances.....	327
26.4	Travelling Allowances .....	328
26.5	Subsistence Allowances .....	328
26.6	Care Allowances.....	328
26.7	Civic Salaries.....	329