

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..... | 111 |
| 14. Access to Information Procedure Rules | 111 |
| 14.1 Scope | 111 |
| 14.2 Additional Rights to Information | 111 |
| 14.3 Rights to Attend Meetings..... | 111 |
| 14.4 Notices of Meeting..... | 111 |
| 14.5 Access to Agenda and Reports Before the Meeting..... | 111 |
| 14.6 Supply of Copies | 111 |
| 14.7 Access to Minutes etc. after the Meeting | 112 |
| 14.8 Background Papers | 112 |
| 14.9 Summary of Public's Rights | 112 |
| 14.10 Exclusion of Access by the Public to Meetings | 112 |
| 14.11 Public Interest Test..... | 115 |
| 14.12 Exclusion of Access by the Public to Reports | 116 |
| 14.13 The Forward Work Programme | 116 |
| 14.14 Consultation on Proposals to be Considered by the Executive | 117 |
| 14.15 Record of Decisions of the Executive | 118 |
| 14.16 Decisions by an Individual Member of the Executive | 119 |
| 14.17 Scrutiny Committees and Members' Access to Documents | 119 |
| 14.18 Additional Rights of Access for Members of Scrutiny Committees | 120 |
| SECTION 15..... | 121 |
| 15. Budget and Policy Framework Procedure Rules | 121 |
| 15.1 The Framework for Executive Decisions..... | 121 |
| 15.2 Process for Developing the Budget and Policy Framework..... | 121 |
| 15.3 Decisions Outside the Budget or Policy Framework..... | 122 |
| 15.4 Urgent Decisions Contrary to the Budget or Policy Framework..... | 122 |
| 15.5 Virement..... | 123 |
| 15.6 In-Year Changes to Budget and Policy Framework | 124 |

| | | |
|-----------------|---|-----|
| 15.7 | Call-In of Decisions Outside the Budget or Policy Framework | 124 |
| SECTION 16..... | | 126 |
| 16. | Financial Procedure Rules | 127 |
| 16.1 | General..... | 127 |
| 16.2 | Roles and Responsibilities..... | 127 |
| 16.3 | Budget..... | 130 |
| 16.4 | Authority to Incur and Control Capital Expenditure | 130 |
| 16.5 | Authority to Incur and Control Revenue Expenditure | 131 |
| 16.6 | Accounting..... | 133 |
| 16.7 | Audit..... | 134 |
| 16.8 | Assets and Land Dealings | 135 |
| 16.9 | Banking Arrangements | 136 |
| 16.10 | Income | 136 |
| 16.11 | Money Laundering..... | 137 |
| 16.12 | Insurance..... | 138 |
| 16.13 | Inventories..... | 139 |
| 16.14 | Stocks and Stores | 139 |
| 16.15 | Security | 139 |
| 16.16 | Data Protection, Freedom of Information and Regulation of Investigatory Powers Acts | 140 |
| 16.17 | Risk Mangement | 141 |
| 16.18 | Salaries and Wages..... | 141 |
| 16.19 | Travelling and Subsistence Allowances | 142 |
| 16.20 | Treasury Management..... | 142 |
| 16.21 | Procurement | 144 |
| 16.22 | Payment of Accounts | 144 |
| 16.23 | Leasing Arrangements | 144 |
| 16.24 | Imprest Accounts (Petty Cash etc.)..... | 144 |

| | | |
|-----------------|--|-----|
| 16.25 | Value Added Tax | 145 |
| 16.26 | Unofficial Funds | 146 |
| 16.27 | Financial Procedure Notes | 146 |
| 16.28 | Review and Amendments of Financial Procedure Rules | 146 |
| SECTION 17..... | | 147 |
| 17. | Contracts Procedure Rules | 147 |
| 17.1 | Introduction..... | 148 |
| 17.2 | Chief Officers..... | 148 |
| 17.3 | Basic Principles | 148 |
| 17.4 | Waiver of These Contracts Procedure Rules | 150 |
| 17.5 | Advertising..... | 152 |
| 17.6 | Relevant Contracts | 152 |
| 17.7 | Risk Assessments | 153 |
| 17.8 | Approved Lists and Framework Agreements | 153 |
| 17.9 | Procurement Valuation | 154 |
| 17.10 | Pre-Tender Market Testing and Consultation..... | 154 |
| 17.11 | Invitation to Tender / Request for Quotations..... | 154 |
| 17.12 | Evaluation Criteria and Standards | 154 |
| 17.13 | Submission, Receipt and Opening of Tenders / Quotations | 155 |
| 17.14 | Post-Tender Negotiations | 156 |
| 17.15 | Evaluation, Award of Contract and Debriefing of Organisations..... | 156 |
| 17.16 | Contract Documents..... | 157 |
| 17.17 | Legal Services Review of Tenders and Contracts..... | 158 |
| 17.18 | Prevention of Bribery and Corruption..... | 158 |
| 17.19 | Declarations of Interest..... | 158 |
| 17.20 | Contract Management / Monitoring..... | 158 |
| 17.21 | Internal Providers | 158 |
| 17.22 | External Body Grant Funding..... | 159 |

| | | |
|--|--|-----|
| 17.23 | Review and Amendments of Contracts Procedure Rules | 159 |
| SECTION 18..... | | 160 |
| 18. | Code of Conduct for Members | 160 |
| 18.1 | Interpretation | 160 |
| 18.2 | General Provisions | 161 |
| 18.3 | Interests..... | 164 |
| 18.4 | The Register of Members' Interests | 170 |
| Appendix 1: Conduct of Members - The Principles | | 172 |
| Appendix 2: Protocol - Standard of Conduct Expected by Members | | 174 |
| 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 | | 176 |
| SECTION 19..... | | 180 |
| 19. | Guides to Public Speaking at Committees | 180 |
| 19.1 | Guide to Public Speaking at Planning Committee | 180 |
| 19.2 | Guide to Public Speaking at a Scrutiny Committee Meeting | 183 |
| SECTION 20..... | | 189 |
| 20. | Code of Conduct for Qualifying Employees of the Council | 189 |
| 20.1 | General Principles | 189 |
| 20.2 | Accountability | 189 |
| 20.3 | Political Neutrality | 189 |
| 20.4 | Relations with Members, the Public and Other Employees..... | 189 |
| 20.5 | Equality..... | 190 |
| 20.6 | Stewardship..... | 190 |
| 20.7 | Personal Interests..... | 190 |
| 20.8 | Whistleblowing..... | 190 |
| 20.9 | Treatment of Information | 190 |
| 20.10 | Appointment of Staff | 191 |
| 20.11 | Investigations by Monitoring Officer | 191 |

| | |
|--|-----|
| SECTION 21..... | 192 |
| 21. Protocol on Member / Officer Relations..... | 192 |
| 21.1 Introduction..... | 192 |
| 21.2 Principles..... | 192 |
| 21.3 Informed Decision-Making | 193 |
| 21.4 Officer Accountability | 193 |
| 21.5 Recruitment | 193 |
| 21.6 Scrutiny | 193 |
| 21.7 Information for Members..... | 193 |
| 21.8 Members as Customers..... | 194 |
| SECTION 22..... | 195 |
| 22. Code of Corporate Governance | 195 |
| 22.1 Introduction..... | 196 |
| 22.2 Why Adopt a Code of Corporate Governance?..... | 196 |
| 22.3 What is Corporate Governance? | 197 |
| 22.4 Why do we need a Code of Corporate Governance?..... | 197 |
| 22.5 The Council's Corporate Governance Principles..... | 198 |
| 22.6 Monitoring and Review | 204 |
| 22.7 The Annual Governance Statement..... | 204 |
| SECTION 23..... | 206 |
| 23. Confidential Reporting (“Whistleblowing Policy”) Code..... | 206 |
| 23.1 Introduction..... | 206 |
| 23.2 Standards in Council Procedures..... | 206 |
| 23.3 Additional Standards..... | 207 |
| 23.4 Key Responsibilities..... | 208 |
| 23.5 Responsible Officer | 208 |
| 23.6 Guidelines for Staff | 208 |
| 23.7 Raising Your Concerns..... | 209 |

| | | |
|-----------------|--|-----|
| 23.8 | Protection for the "Whistleblower" | 211 |
| 23.9 | Guidelines for Managers..... | 213 |
| 23.10 | How the Council Will Respond..... | 214 |
| 23.11 | Training and Communication | 215 |
| 23.12 | Some Final Notes | 215 |
| 23.13 | Protection | 216 |
| 23.14 | Free and Confidential Advice..... | 217 |
| SECTION 24..... | | 218 |
| 24. | Member Role Descriptions..... | 218 |
| 24.1 | Elected Member Role Description..... | 218 |
| 24.2 | Leader (and Deputy) Role Description..... | 220 |
| 24.3 | Deputy Leader | 222 |
| 24.4 | Cabinet Member Role Description | 222 |
| 24.5 | Chairman of the Council Role Description | 224 |
| 24.6 | Vice-Chairman..... | 225 |
| 24.7 | Chairman of Democratic Services Committee Role Description..... | 225 |
| 24.8 | Member of a Democratic Services Committee Role Description | 227 |
| 24.9 | Chairman of a Regulatory Committee Role Description | 228 |
| 24.10 | Member of a Regulatory Committee Role Description | 229 |
| 24.11 | Chairman of Standards Committee Role Description | 230 |
| 24.12 | Member of Standards Committee Role Description | 231 |
| 24.13 | Chairman of Audit Committee Role Description | 232 |
| 24.14 | Member of Audit Committee Role Description | 234 |
| 24.15 | Scrutiny Committee Chairman Role Description | 235 |
| 24.16 | Scrutiny Committee Member Role Description..... | 237 |
| 24.17 | Leader of Opposition Groups Role Description | 238 |
| 24.18 | Role of the Deputy Leader of Opposition Groups..... | 239 |
| 24.19 | Member Champion Purpose and Role..... | 239 |

| | | |
|-----------------|--|-----|
| 24.20 | Member Champion Role Description | 241 |
| 24.21 | Elected Member Person Specification | 241 |
| 24.22 | Leader Person Specification | 242 |
| 24.23 | Cabinet Member Person Specification | 244 |
| 24.24 | Chairman of the Council Person Specification | 245 |
| 24.25 | Chairman of Regulatory Committee Person Specification..... | 246 |
| 24.26 | Regulatory Committee Member Person Specification | 246 |
| 24.27 | Scrutiny Committee Chairman Person Specification | 247 |
| 24.28 | Scrutiny Committee Member Person Specification | 248 |
| 24.29 | Leader of Opposition Groups Person Specification..... | 250 |
| 24.30 | Member Champion Person Specification | 251 |
| SECTION 25..... | | 252 |
| 25. | Officer Delegations | 252 |
| SECTION 26..... | | 312 |
| 26. | Members' Allowances Scheme | 312 |
| 26.1 | Basic Salary | 313 |
| 26.2 | Senior Salaries | 313 |
| 26.3 | Co-opted Members' Allowances | 314 |
| 26.4 | Travelling Allowances | 315 |
| 26.5 | Subsistence Allowances | 315 |
| 26.6 | Care Allowances..... | 315 |
| 26.7 | Civic Salaries..... | 316 |

