

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	7
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.....	8
2.7 Suspension of the Constitution	9
2.8 Publication.....	9
SECTION 3	10
3. Getting Information and Getting Involved	10
3.1 Getting Information	10
3.2 Getting Involved - Members of the Public	12
3.3 Getting Involved – Members	13
SECTION 4	16
4. Full Council	16
4.1 Introduction.....	16
4.2 The Policy Framework.....	16
4.3 Budget.....	17
4.4 Housing Land Transfer	17
4.5 Functions of the Full Council.....	17
4.6 Membership.....	19

4.7	Council Meetings	20
4.8	Rules of Procedure and Debate.....	20
4.9	Council Procedure Rules - Annual Meeting of the Council	20
4.10	Ordinary Meetings	21
4.11	Extraordinary Meetings.....	22
4.12	Time and Place of Meetings	22
4.13	Notice of and Summons to Meetings	22
4.14	Chair of Meeting	23
4.15	Quorum	23
4.16	Remote Attendance - Link to Multi-Location Meetings Policy.....	23
4.17	Questions by the Public	23
4.18	Questions by Members.....	24
4.19	Motions on Notice.....	26
4.20	Motions without Notice.....	27
4.21	Rules of Debate.....	28
4.22	Previous Decisions and Motions	31
4.23	Voting	32
4.24	Minutes.....	33
4.25	Exclusion of Public	33
4.26	Members' Conduct	34
4.27	Disturbance by Public.....	34
4.28	Filming and Recording During Meetings	35
4.29	Suspension and Amendment of Council Procedure Rules	35
4.30	Family Absence for Members	35
4.31	Application to Committees and Sub Committees	38
4.32	Remote Meeting Procedure Rules	38
4.33	Electronic Broadcasts of Meetings.....	40

SECTION 5	41
5. The Cabinet ("Executive").....	41
5.1 Introduction.....	41
5.2 Form and Composition of the Cabinet	41
5.3 Leader(s).....	41
5.4 Deputy Leader(s).....	41
5.5 Other Cabinet Members	42
5.6 Delegation of Functions	42
5.7 Cabinet Support Members / Assistants to the Cabinet.....	42
5.8 Job Sharing Arrangements for Executive Leaders and Members.....	43
5.9 Rules of Procedure and Debate.....	43
5.10 Cabinet Procedure Rules.....	43
SECTION 6	47
6. The Leader(s).....	47
6.1 Election and Term of Office	47
6.2 Deputy Leader(s).....	47
6.3 Functions and Delegated Authority	47
SECTION 7	50
7. Overview and Scrutiny Committees	50
7.1 Introduction.....	50
7.2 Scrutiny Committees.....	50
7.3 Role, Scope and Terms of Reference	51
7.4 Specific Functions	52
7.5 Head of Democratic Services	53
7.6 Who May Sit on Scrutiny Committees?.....	53
7.7 Co-Optees	53
7.8 Education Representatives	54
7.9 Who Chairs?.....	54

7.10	Role of the Chairs of the Scrutiny Committees.....	54
7.11	Work Programme	55
7.12	Meetings.....	55
7.13	Joint Scrutiny Committees	55
7.14	Performance Scrutiny	55
7.15	Rules of Procedure and Debate.....	55
7.16	What will be the Number and Arrangements for Scrutiny Committees?	55
7.17	Agenda Items	56
7.18	Policy Review and Development	57
7.19	Reports from the Scrutiny Committees	57
7.20	Making Sure that Scrutiny Reports are Considered by the Cabinet.....	57
7.21	Rights of Members of the Scrutiny Committees to Documents	58
7.22	Members and Officers Giving Account.....	59
7.23	Attendance by Other Members of the Council	59
7.24	Attendance by Others	60
7.25	Call-In	60
7.26	The Party Whip.....	62
7.27	Procedure at Scrutiny Committee Meetings.....	62
7.28	Matters within the Remit of more than one Scrutiny Committee.....	62
7.29	Councillor Call for Action	63
7.30	Public Speaking at Scrutiny Committees	63
SECTION 8		64
8.	The Standards Committee	64
8.1	Composition	64
8.2	Term of Office.....	64
8.3	Quorum	64
8.4	Voting	65
8.5	Community Committee Member	65

8.6	Chairing the Committee	65
8.7	Role and Function	65
8.8	Joint Standards Committee.....	66
SECTION 9		67
9.	Regulatory Committees.....	67
9.1	Regulatory and Other Committees.....	67
9.2	The Governance and Audit Committee	67
9.3	The Democratic Services Committee.....	67
9.4	Other Committees and Sub-Committees	67
9.5	Rules of Procedure and Debate.....	68
SECTION 10.....		69
10.	Joint Committees	69
10.1	Introduction.....	69
10.2	Arrangements to Promote Wellbeing	69
10.3	Joint Arrangements	69
10.4	Access to Information	70
10.5	Delegation to and from Other Local Authorities.....	70
10.6	Contracting Out	70
10.7	Reporting of Joint Committees.....	70
SECTION 11.....		71
11.	Corporate Joint Committee	71
11.1	Introduction.....	71
11.2	Corporate Joint Committees.....	71
SECTION 12.....		73
12.	Officers	73
12.1	Management Structure	73
12.2	Functions of the Chief Executive.....	75
12.3	Functions of the Monitoring Officer	76

12.4	Functions of the Chief Finance Officer	78
12.5	Functions of the Head of Democratic Services	79
12.6	Duty to Provide Sufficient Resources to the Chief Executive, Monitoring Officer, Chief Finance Officer and Head of Democratic Services.....	80
12.7	Conduct.....	80
12.8	Employment	80
12.9	Officer Employment Procedure Rules	81
SECTION 13.....		87
13.	Finance, Contracts and Legal Matters.....	87
13.1	Financial Management	87
13.2	Contracts	87
13.3	Legal Proceedings.....	87
13.4	Authentication of Documents	87
13.5	Common Seal of the Council	88
SECTION 14.....		89
14.	Responsibility for Functions - Summary	89
14.1	Who can be Decision-Makers?	89
14.2	Principles of Decision-Making	89
14.3	Functions - Categories	90
14.4	Other Bodies	90
14.5	Who Decides – Non-Executive Functions?	90
14.6	Who Decides – Executive Functions?.....	91
14.7	Removal of Delegation	91
14.8	Who May Exercise Officer Delegations?.....	91
14.9	Responsibility for Functions – Summary of Schedules.....	91
14.10	Schedule 1 - Functions not to be the responsibility of an Authority's Cabinet / Executive.....	92
14.11	Schedule 2 - Local Choice Executive / Cabinet Functions.....	108
14.12	Schedule 3 - Local Choice Council Functions.....	110

14.13	Schedule 4 - Council Functions: Plans and Strategies.....	112
14.14	Schedule 5 - Mandatory Executive / Cabinet Functions	114
14.15	Schedule 6 - Mandatory Council Functions	115
14.16	Responsibility for Council Functions: Committees' Terms of Reference.....	116
SECTION 15.....		133
15.	Access to Information Procedure Rules	133
15.1	Scope	133
15.2	Additional Rights to Information	133
15.3	Rights to Attend Meetings.....	133
15.4	Notices of Meeting.....	133
15.5	Access to Agenda and Reports Before the Meeting.....	133
15.6	Supply of Copies	134
15.7	Access to Minutes etc. after the Meeting	134
15.8	Background Papers	134
15.9	Summary of Public's Rights	135
15.10	Exclusion of Access by the Public to Meetings	135
15.11	Public Interest Test.....	138
15.12	Exclusion of Access by the Public to Reports	138
15.13	The Forward Work Programme	139
15.14	Consultation on Proposals to be Considered by the Cabinet	139
15.15	Record of Decisions of the Cabinet.....	140
15.16	Decisions by an Individual Member of the Cabinet	141
15.17	Scrutiny Committees and Members' Access to Documents	142
15.18	Additional Rights of Access for Members of Scrutiny Committees	142
SECTION 16.....		143
16.	Budget and Policy Framework Procedure Rules	143
16.1	The Framework for Cabinet Decisions.....	143
16.2	Process for Developing the Budget and Policy Framework.....	143

16.3	Decisions Outside the Budget or Policy Framework.....	144
16.4	Urgent Decisions Contrary to the Budget or Policy Framework.....	144
16.5	Virement.....	145
16.6	In-Year Changes to Budget and Policy Framework	146
16.7	Call-In of Decisions Outside the Budget or Policy Framework	146
SECTION 17.....		148
17.	Financial Procedure Rules	149
17.1	General.....	149
17.2	Roles and Responsibilities.....	149
17.3	Budget.....	152
17.4	Authority to Incur and Control Capital Expenditure	152
17.5	Authority to Incur and Control Revenue Expenditure	153
17.6	Grants	155
17.7	Accounting.....	155
17.8	Audit.....	156
17.9	Assets and Land Dealings	159
17.10	Banking Arrangements	159
17.11	Income	160
17.12	Money Laundering.....	161
17.13	Insurance.....	163
17.14	Inventories.....	163
17.15	Stocks and Stores	164
17.16	Security	164
17.17	Data Protection, Freedom of Information and Regulation of Investigatory Powers Acts	164
17.18	Risk Management	165
17.19	Salaries and Wages	165
17.20	Travelling and Subsistence Allowances	166

17.21	Treasury Management	167
17.22	Procurement	168
17.23	Payment of Accounts	168
17.24	Leasing Arrangements	169
17.25	Imprest Accounts (Petty Cash etc.)	169
17.26	Value Added Tax	169
17.27	Unofficial Funds	170
17.28	Financial Procedure Notes	170
17.29	Review and Amendments of Financial Procedure Rules	171
SECTION 18.....		172
18.	Contracts Procedure Rules	173
18.1	Introduction.....	173
18.2	Chief Officers.....	173
18.3	Basic Principles	173
18.4	Waiver / Exemption of These Contracts Procedure Rules	175
18.5	Advertising.....	177
18.6	Relevant Contracts	177
18.7	Risk Assessments	178
18.8	Approved Lists and Framework Agreements	179
18.9	Procurement Valuation	179
18.10	Preliminary Market Engagement.....	179
18.11	Invitation to Tender (ITT) / Request for Quotations (RFQ)	180
18.12	Evaluation Criteria and Standards	180
18.13	Submission, Receipt and Opening of Tenders / Quotations	181
18.14	Post-Tender Negotiations	182
18.15	Evaluation, Award of Contract and Debriefing of Organisations.....	182
18.16	Contract Documents.....	183
18.17	Legal Services Review of Tenders and Contracts.....	184

18.18	Prevention of Bribery and Corruption.....	184
18.19	Declarations of Interest / Conflicts of Interest.....	184
18.20	Contract Management / Monitoring.....	184
18.21	Internal Providers	184
18.22	External Body Grant Funding.....	185
18.23	Review and Amendments of Contracts Procedure Rules	185
SECTION 19.....		186
19.	Code of Conduct for Members	186
19.1	Interpretation	186
19.2	General Provisions	188
19.3	Interests.....	191
19.4	The Register of Members' Interests	197
Appendix 1: Conduct of Members - The Principles		199
Appendix 2: Protocol - Standard of Conduct Expected by Members		201
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.....		203
SECTION 20.....		212
20.	Guides to Public Speaking at Committees	212
20.1	Guide to Public Speaking at Planning Committee	212
20.2	Guide to Public Speaking at a Scrutiny Committee Meeting	219
SECTION 21.....		229
21.	Code of Conduct for Qualifying Employees of the Council	229
21.1	General Principles	229
21.2	Accountability	229
21.3	Political Neutrality	229
21.4	Relations with Members, the Public and Other Employees.....	229
21.5	Equality.....	230
21.6	Stewardship.....	230

21.7	Personal Interests.....	230
21.8	Whistleblowing.....	230
21.9	Treatment of Information	230
21.10	Appointment of Staff	231
21.11	Investigations by Monitoring Officer	231
SECTION 22.....		232
22.	Protocol on Member / Officer Relations.....	232
22.1	Introduction.....	232
22.2	Principles.....	232
22.3	Informed Decision-Making	233
22.4	Officer Accountability	233
22.5	Recruitment	233
22.6	Scrutiny	233
22.7	Information for Members.....	233
22.8	Members as Customers.....	234
SECTION 23.....		235
23.	Code of Corporate Governance	235
23.1	Introduction.....	236
23.2	Why Adopt a Code of Corporate Governance?	236
23.3	What is Corporate Governance?	237
23.4	Why do we need a Code of Corporate Governance?	237
23.5	The Vale of Glamorgan Council's Principles of Good Governance	238
23.6	Monitoring and Review	255
23.7	The Annual Governance Statement.....	255
SECTION 24.....		256
24.	Confidential Reporting (“Whistleblowing Policy”) Code.....	256
24.1	Introduction.....	256
24.2	Scope	257

24.3	Protection and Confidentiality	258
24.4	What You Should Report	259
24.5	Anonymous or Untrue Allegations.....	259
24.6	How to Raise a Concern.....	260
24.7	Guidelines for Managers.....	261
24.8	How We Will Respond	263
24.9	Taking the Matter Further	264
24.10	Monitoring.....	264
24.11	Final Notes	265
24.12	Appendices.....	265
SECTION 25.....		267
25.	Member Role Descriptions.....	267
25.1	Elected Member Role Description.....	267
25.2	Leader(s) (and Deputy) Role Description.....	269
25.3	Deputy Leader(s).....	271
25.4	Cabinet Member Role Description	271
25.5	Chair of the Council Role Description	273
25.6	Vice-Chair.....	274
25.7	Chair of Democratic Services Committee Role Description.....	274
25.8	Member of a Democratic Services Committee Role Description	276
25.9	Chair of a Regulatory Committee Role Description	277
25.10	Member of a Regulatory Committee Role Description	278
25.11	Chair of Standards Committee Role Description	279
25.12	Member of Standards Committee Role Description	280
25.13	Chair of Governance and Audit Committee Role Description.....	281
25.14	Member of Governance and Audit Committee Role Description	283
25.15	Scrutiny Committee Chair Role Description	284
25.16	Scrutiny Committee Member Role Description.....	286

25.17	Leader of Opposition Groups Role Description	287
25.18	Role of the Deputy Leader of Opposition Groups.....	288
25.19	Member Champion Purpose and Role	288
25.20	Member Champion Role Description	289
25.21	Elected Member Person Specification	290
25.22	Leader(s) Person Specification	291
25.23	Cabinet Member Person Specification	293
25.24	Chair of the Council Person Specification	294
25.25	Chair of Regulatory Committee Person Specification.....	295
25.26	Regulatory Committee Member Person Specification	295
25.27	Scrutiny Committee Chair Person Specification.....	296
25.28	Scrutiny Committee Member Person Specification	297
25.29	Leader of Opposition Groups Person Specification.....	299
25.30	Member Champion Person Specification	299
SECTION 26.....		301
26.	Officer Delegations	301
SECTION 27.....		363
27.	Members' Allowances Scheme	363