

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	
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.....		326
26.	Members' Allowances Scheme.....	326
26.1	Basic Salary.....	327
26.2	Senior Salaries	327
26.3	Co-opted Members' Allowances.....	328
26.4	Travelling Allowances	329
26.5	Subsistence Allowances	329
26.6	Care Allowances.....	329
26.7	Civic Salaries	330