

Part 1A

Summary and Explanation

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1. The Council's Constitution

Rugby Borough Council has agreed this constitution which sets out how the council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by the law, while others are a matter for the council to choose.

The articles of the constitution set out the basic rules governing the council's business. More detailed procedures and codes of practice are provided in separate standing orders and protocols that form the later parts of the constitution.

2. What's in the Constitution?

The constitution is divided into six parts:

- Part 1:** gives a broad overview of how the council is organised, how decisions are made and how the public can participate in the decision-making process.
- Part 2:** sets out the particular responsibilities of the various council bodies and officers in more detail.
- Part 3:** sets out the detailed procedural rules which govern the conduct of the council's meetings and business.
- Part 4:** contains the codes of conduct which govern the standards which councillors and officers must follow when acting for the council.
- Part 5:** sets out the allowances which are payable to councillors.
- Part 6:** is a summary of the management structure of the council.

3. How the Council operates

The Council is composed of 42 councillors with one-third elected three years in four. Councillors are democratically accountable to residents of their ward. The overriding duty of councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them.

Councillors have a code of conduct to ensure high standards in the way they undertake their duties. Audit and Ethics Committee trains and advises them on the Code of Conduct.

All councillors meet together as the Council. Meetings of the Council are normally open to the public. Here councillors decide the council's overall policies and set the budget each year.

4. How decisions are made

Cabinet is the part of the Council which is responsible for most day-to-day decisions. Cabinet is made up of Leader of the Council and between two and nine other members appointed by the Leader. When major decisions are to be discussed or made, these are published in Cabinet's Forward Plan in so far as they can be anticipated. If these major decisions are to be discussed at a meeting of Cabinet, this will generally be open for the public to attend except where personal or confidential matters are being discussed. Cabinet has to make decisions which are in line with the Council's overall policies and budget. If it wishes to make a decision which is outside the budget or policy framework, this must be referred to the Council to decide.

5. Overview and Scrutiny

Scrutiny Committee monitors the decisions of Cabinet and can 'call in' decisions made by Cabinet for a review before implementation. Following a 'call in', the committee can recommend Cabinet reconsiders a decision.

Scrutiny Committee also offers residents the opportunity to request reviews of matters of local concern. Following a scrutiny review, the committee can publish reports and make recommendations to the Council and Cabinet on matters of policy, budget and service delivery.

The Council and Cabinet can also consult with Scrutiny Committee on policy development and forward planning.

6. The Council's staff

The council has people working for it (called 'officers') to give advice, implement decisions and carry out the day-to-day delivery of its services. Some officers have a specific duty to ensure that the council acts within the law and uses its resources wisely. A Code of Practice governs the relationships between councillors and officers of the council.

7. Citizens' rights

Citizens have a number of rights in their dealings with the council. These are set out in more detail in Article 3. Some of these are legal rights, while others depend on the council's own processes.

Citizens have the right to:

- vote at local elections if they are registered;
- contact their local councillor about any matters of concern to them;
- obtain a copy of the constitution;

- attend meetings of the Council and its committees except where, for example, personal or confidential matters are being discussed;
- petition to request a referendum on a mayoral form of executive;
- participate in the Council's question time and panels' question times, where permitted and contribute to investigations by the overview and scrutiny panels;
- find out, from Cabinet's Forward Plan, what major decisions are to be discussed by Cabinet or decided by Cabinet or officers, and when;
- attend meetings of Cabinet where key decisions are being discussed or decided;
- see reports and background papers, and any record of decisions made by the Council and Cabinet;
- complain to the council about any aspect of the council's services or business including where procedures are not followed, standards are not met or errors made;
- complain to the Ombudsman if they think the council has not followed its procedures properly. However, they should only do this after using the council's own complaints process; and
- inspect the council's accounts and make their views known to the external auditor.

The council welcomes participation by its citizens in its work. For further information on your rights as a citizen, please contact the Chief Officer for Legal and Governance.

8. Conventions used in this Constitution

Capitalisation

In most cases where the word Council with a capital C is used, it refers to the Full Council meeting. Where a lower case c is used, it refers to any other use of the word, including when it is referring to Rugby Borough Council as an organisation.

Job titles are capitalised but general descriptions of a category of job such as "chief officer" are not.

Time periods

A *working day* is defined as any day on which the Town Hall is open to the public. This normally means every day except:

- Saturdays and Sundays
- national public holidays
- three additional days during the Christmas period, as publicised at the time

Clear days means the number of days from one date to another, but not including the first and the last day. For example, if three clear days' notice must be given of something that will be happening on a Friday, the notice must be given by the preceding Monday, the clear days being Tuesday, Wednesday and Thursday.