



PART 1

Summary and Explanation

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The Council's Constitution

Richmondshire District Council has agreed a 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 law, while others are a matter for the Council to choose.

The Constitution is divided into 17 articles which set out the basic rules and framework governing the Council's business. More detailed procedures and codes of practice which explain how the Council's business will be carried out are provided in separate procedure rules and protocols at the end of the document.

What is in the Constitution?

Article 1 of the Constitution commits the Council to operating in accordance with its constitution. Articles 2-17 explain the rights of citizens and how the key parts of the Council operate. These are:

- Members of the Council (Article 2).
- Citizens and the Council (Article 3).
- The Full Council Meeting (Article 4).
- Chairing the Council (Article 5).
- Overview and Scrutiny Committees (Article 6).
- Corporate Board and other Committees (Article 7).
- Standards (Article 8).
- Area Partnerships and Area Committees (Article 9).
- Joint Arrangements (Article 10).
- Officers (Article 11).
- Decision Making (Article 12).
- Finance, Contracts and Legal Matters (Article 13).
- Review and Revision of the Constitution (Article 14).
- Suspension, Interpretation and Publication of the Constitution (Article 15).
- Corporate Board Spokespersons (Article 16)
- Appointments to Outside Bodies (Article 17)

How the Council Operates

The Council is composed of 34 councillors elected every four years. 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 to agree to follow a code of conduct to ensure high standards in the way they undertake their duties. The Audit, Governance and Standards 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; determine the Council's main plans; provide a forum for debate on issues of general

concern to the area; hear reports back from parish forum meetings and review the Council's overall performance.

How Decisions are Made

After the Full Council has set the various policies known as the "policy framework", any other decisions to be made by Councillors will be made in Committees that are made up of the various political or independent groups represented on the Council. Councillors cannot make decisions on their own. The Council has one policy committee called the Corporate Board which deals with all of its functional responsibilities. Other Committees carry out regulatory functions, including dealing with planning and licensing applications and there are also Committees dealing with standards of Member conduct, audit and governance and scrutiny.

Meetings of the Council's committees are publicised well in advance and are open to the public except where personal or confidential matters are being discussed. As the Corporate Board is a committee these rules apply equally to its meetings.

Overview and Scrutiny

There are 2 overview and scrutiny committees which support the work of the Corporate Board and the Council as a whole. They allow citizens to have a greater say in Council matters by holding public inquiries into matters of local concern. These can lead to reports and recommendations which advise the Corporate Board and the Council as a whole on its policies, budget and service delivery. Overview and scrutiny committees also monitor the decisions of the Corporate Board. They can 'call-in' a decision which has been made by the Corporate Board but not yet implemented. This enables them to consider whether the decision was made correctly. They may recommend that the Corporate Board or Full Council reconsider the decision. They may also be consulted by the Corporate Board on forthcoming decisions and the development of policy. Both overview and scrutiny committees are involved in assisting the Council to comply with its statutory duty to deliver 'best value' in its services and in policy review and development.

The Council's Staff

The Council has people working for it (called 'officers') to give advice, implement decisions and manage 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 officers and members of the Council.

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, whilst others depend on the Council's own processes. The local Citizens' Advice Bureau can advise on individuals' legal rights.

Where members of the public use specific council services, for example as a council tenant, they may have additional rights. These are not covered in this Constitution.

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, parish forums and contribute to investigations by the overview and scrutiny committees;
- complain to the Council via its published complaints procedure;
- complain to the Ombudsman if they think the Council has not followed its procedures properly. However, they should normally only do this after using the Council's own complaints process;
- complain to the Standards Committee if they have evidence which they think shows that a councillor has not followed the Council's Code of Conduct; 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 Democratic Services Manager on 01748 901011.

A statement of the rights of citizens to inspect agendas and reports and attend meetings is available at the Council's offices.