

## 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 .....	8
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 The Single Integrated Plan .....	17
4.4 Budget.....	17
4.5 Housing Land Transfer .....	17
4.6 Functions of the Full Council.....	17

4.7	Membership.....	19
4.8	Council Meetings .....	20
4.9	Rules of Procedure and Debate.....	20
4.10	Council Procedure Rules - Annual Meeting of the Council .....	20
4.11	Ordinary Meetings .....	21
4.12	Extraordinary Meetings.....	22
4.13	Time and Place of Meetings .....	22
4.14	Notice of and Summons to Meetings .....	23
4.15	Chair of Meeting .....	23
4.16	Quorum .....	23
4.17	Remote Attendance - including Multi-Location Meeting Policy .....	23
4.18	Questions by the Public .....	42
4.19	Questions by Members.....	42
4.20	Motions on Notice.....	45
4.21	Motions without Notice.....	46
4.22	Rules of Debate.....	47
4.23	Previous Decisions and Motions.....	50
4.24	Voting.....	50
4.25	Minutes.....	51
4.26	Exclusion of Public .....	52
4.27	Members' Conduct .....	52
4.28	Disturbance by Public.....	53
4.29	Filming and Recording During Meetings .....	53
4.30	Suspension and Amendment of Council Procedure Rules.....	53
4.31	Family Absence for Members .....	54
4.32	Application to Committees and Sub Committees .....	57
4.33	Remote Meeting Procedure Rules.....	57
4.34	Electronic Broadcasts of Meetings.....	59

SECTION 5 .....	60
5. The Cabinet ("Executive") .....	60
5.1 Introduction.....	60
5.2 Form and Composition of the Cabinet .....	60
5.3 Leader(s) .....	60
5.4 Deputy Leader(s).....	60
5.5 Other Cabinet Members .....	61
5.6 Delegation of Functions .....	61
5.7 Cabinet Support Members / Assistants to the Cabinet .....	61
5.8 Job Sharing Arrangements for Executive Leaders and Members.....	62
5.9 Rules of Procedure and Debate.....	62
5.10 Cabinet Procedure Rules.....	62
SECTION 6 .....	66
6. The Leader(s) .....	66
6.1 Election and Term of Office .....	66
6.2 Deputy Leader(s).....	66
6.3 Functions and Delegated Authority .....	66
SECTION 7 .....	69
7. Overview and Scrutiny Committees .....	69
7.1 Introduction.....	69
7.2 Scrutiny Committees.....	69
7.3 Role, Scope and Terms of Reference.....	70
7.4 Specific Functions .....	71
7.5 Head of Democratic Services .....	73
7.6 Who May Sit on Scrutiny Committees?.....	73
7.7 Co-Optees .....	73
7.8 Education Representatives .....	73
7.9 Who Chairs?.....	74

7.10	Role of the Chairs of the Scrutiny Committees.....	74
7.11	Work Programme .....	74
7.12	Meetings.....	74
7.13	Joint Scrutiny Committees .....	75
7.14	Rules of Procedure and Debate.....	75
7.15	What will be the Number and Arrangements for Scrutiny Committees? .....	75
7.16	Agenda Items .....	76
7.17	Policy Review and Development .....	76
7.18	Reports from the Scrutiny Committees .....	77
7.19	Making Sure that Scrutiny Reports are Considered by the Cabinet.....	77
7.20	Rights of Members of the Scrutiny Committees to Documents .....	78
7.21	Members and Officers Giving Account.....	78
7.22	Attendance by Other Members of the Council .....	79
7.23	Attendance by Others .....	79
7.24	Call-In.....	80
7.25	The Party Whip.....	81
7.26	Procedure at Scrutiny Committee Meetings.....	81
7.27	Matters within the Remit of more than one Scrutiny Committee.....	82
7.28	Councillor Call for Action .....	82
7.29	Public Speaking at Scrutiny Committees .....	82
SECTION 8 .....		83
8.	The Standards Committee .....	83
8.1	Composition .....	83
8.2	Term of Office.....	83
8.3	Quorum .....	83
8.4	Voting .....	84
8.5	Community Committee Member .....	84
8.6	Chairing the Committee .....	84

8.7	Role and Function .....	84
8.8	Joint Standards Committee.....	85
SECTION 9 .....		86
9.	Regulatory Committees.....	86
9.1	Regulatory and Other Committees.....	86
9.2	The Governance and Audit Committee .....	86
9.3	The Democratic Services Committee.....	86
9.4	Other Committees and Sub-Committees .....	86
9.5	Rules of Procedure and Debate.....	87
SECTION 10.....		88
10.	Joint Committees .....	88
10.1	Introduction.....	88
10.2	Arrangements to Promote Wellbeing .....	88
10.3	Joint Arrangements .....	88
10.4	Access to Information .....	89
10.5	Delegation to and from Other Local Authorities.....	89
10.6	Contracting Out .....	89
SECTION 11.....		90
11.	Corporate Joint Committee .....	90
11.1	Introduction.....	90
11.2	Corporate Joint Committees.....	90
SECTION 12.....		92
12.	Officers .....	92
12.1	Management Structure .....	92
12.2	Functions of the Chief Executive.....	94
12.3	Functions of the Monitoring Officer .....	95
12.4	Functions of the Chief Finance Officer.....	97
12.5	Functions of the Head of Democratic Services .....	98

12.6	Duty to Provide Sufficient Resources to the Chief Executive, Monitoring Officer, Chief Finance Officer and Head of Democratic Services.....	99
12.7	Conduct.....	99
12.8	Employment .....	99
12.9	Officer Employment Procedure Rules.....	100
SECTION 13.....		106
13.	Finance, Contracts and Legal Matters.....	106
13.1	Financial Management .....	106
13.2	Contracts.....	106
13.3	Legal Proceedings.....	106
13.4	Authentication of Documents.....	106
13.5	Common Seal of the Council .....	107
SECTION 14.....		108
14.	Responsibility for Functions - Summary .....	108
14.1	Who can be Decision-Makers? .....	108
14.2	Principles of Decision-Making.....	108
14.3	Functions - Categories .....	109
14.4	Other Bodies .....	109
14.5	Who Decides – Non-Executive Functions? .....	109
14.6	Who Decides – Executive Functions?.....	110
14.7	Removal of Delegation .....	110
14.8	Who May Exercise Officer Delegations?.....	110
14.9	Responsibility for Functions – Summary of Schedules.....	110
14.10	Schedule 1 - Functions not to be the responsibility of an Authority's Cabinet / Executive.....	111
14.11	Schedule 2 - Local Choice Executive / Cabinet Functions.....	127
14.12	Schedule 3 - Local Choice Council Functions.....	129
14.13	Schedule 4 - Council Functions: Plans and Strategies.....	131
14.14	Schedule 5 - Mandatory Executive / Cabinet Functions .....	133

14.15	Schedule 6 - Mandatory Council Functions .....	134
14.16	Responsibility for Council Functions: Committees' Terms of Reference.....	135
SECTION 15.....		152
15.	Access to Information Procedure Rules .....	152
15.1	Scope .....	152
15.2	Additional Rights to Information .....	152
15.3	Rights to Attend Meetings.....	152
15.4	Notices of Meeting.....	152
15.5	Access to Agenda and Reports Before the Meeting.....	152
15.6	Supply of Copies .....	153
15.7	Access to Minutes etc. after the Meeting .....	153
15.8	Background Papers .....	153
15.9	Summary of Public's Rights .....	154
15.10	Exclusion of Access by the Public to Meetings .....	154
15.11	Public Interest Test.....	157
15.12	Exclusion of Access by the Public to Reports .....	157
15.13	The Forward Work Programme .....	158
15.14	Consultation on Proposals to be Considered by the Cabinet .....	158
15.15	Record of Decisions of the Cabinet.....	159
15.16	Decisions by an Individual Member of the Cabinet .....	160
15.17	Scrutiny Committees and Members' Access to Documents .....	161
15.18	Additional Rights of Access for Members of Scrutiny Committees .....	161
SECTION 16.....		162
16.	Budget and Policy Framework Procedure Rules .....	162
16.1	The Framework for Cabinet Decisions.....	162
16.2	Process for Developing the Budget and Policy Framework.....	162
16.3	Decisions Outside the Budget or Policy Framework.....	163
16.4	Urgent Decisions Contrary to the Budget or Policy Framework.....	163

16.5	Virement.....	164
16.6	In-Year Changes to Budget and Policy Framework .....	165
16.7	Call-In of Decisions Outside the Budget or Policy Framework .....	165
SECTION 17.....		167
17.	Financial Procedure Rules .....	167
17.1	General.....	168
17.2	Roles and Responsibilities.....	168
17.3	Budget.....	171
17.4	Authority to Incur and Control Capital Expenditure .....	171
17.5	Authority to Incur and Control Revenue Expenditure .....	172
17.6	Grants .....	174
17.7	Accounting.....	174
17.8	Audit.....	175
17.9	Assets and Land Dealings .....	178
17.10	Banking Arrangements .....	178
17.11	Income .....	179
17.12	Money Laundering.....	180
17.13	Insurance.....	182
17.14	Inventories.....	182
17.15	Stocks and Stores .....	183
17.16	Security .....	183
17.17	Data Protection, Freedom of Information and Regulation of Investigatory Powers Acts .....	183
17.18	Risk Management .....	184
17.19	Salaries and Wages.....	184
17.20	Travelling and Subsistence Allowances .....	185
17.21	Treasury Management .....	186
17.22	Procurement .....	187



17.23	Payment of Accounts .....	187
17.24	Leasing Arrangements .....	188
17.25	Imprest Accounts (Petty Cash etc.) .....	188
17.26	Value Added Tax .....	188
17.27	Unofficial Funds .....	189
17.28	Financial Procedure Notes .....	189
17.29	Review and Amendments of Financial Procedure Rules .....	190
SECTION 18.....		191
18.	Contracts Procedure Rules .....	191
18.1	Introduction.....	192
18.2	Chief Officers.....	192
18.3	Basic Principles .....	192
18.4	Waiver of These Contracts Procedure Rules .....	194
18.5	Advertising.....	196
18.6	Relevant Contracts .....	196
18.7	Risk Assessments .....	197
18.8	Approved Lists and Framework Agreements .....	197
18.9	Procurement Valuation .....	197
18.10	Pre-Tender Market Testing and Consultation.....	198
18.11	Invitation to Tender / Request for Quotations.....	198
18.12	Evaluation Criteria and Standards .....	198
18.13	Submission, Receipt and Opening of Tenders / Quotations.....	199
18.14	Post-Tender Negotiations .....	200
18.15	Evaluation, Award of Contract and Debriefing of Organisations.....	200
18.16	Contract Documents.....	201
18.17	Legal Services Review of Tenders and Contracts.....	202
18.18	Prevention of Bribery and Corruption.....	202
18.19	Declarations of Interest.....	202

18.20	Contract Management / Monitoring.....	202
18.21	Internal Providers .....	202
18.22	External Body Grant Funding.....	202
18.23	Review and Amendments of Contracts Procedure Rules .....	202
SECTION 19.....		203
19.	Code of Conduct for Members .....	203
19.1	Interpretation .....	203
19.2	General Provisions .....	205
19.3	Interests.....	208
19.4	The Register of Members' Interests .....	214
Appendix 1: Conduct of Members - The Principles .....		216
Appendix 2: Protocol - Standard of Conduct Expected by Members .....		218
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.....		220
SECTION 20.....		229
20.	Guides to Public Speaking at Committees .....	229
20.1	Guide to Public Speaking at Planning Committee .....	229
20.2	Guide to Public Speaking at a Scrutiny Committee Meeting .....	240
SECTION 21.....		254
21.	Code of Conduct for Qualifying Employees of the Council .....	254
21.1	General Principles .....	254
21.2	Accountability .....	254
21.3	Political Neutrality .....	254
21.4	Relations with Members, the Public and Other Employees.....	254
21.5	Equality.....	255
21.6	Stewardship.....	255
21.7	Personal Interests.....	255
21.8	Whistleblowing.....	255

21.9	Treatment of Information .....	255
21.10	Appointment of Staff .....	256
21.11	Investigations by Monitoring Officer .....	256
SECTION 22.....		257
22.	Protocol on Member / Officer Relations.....	257
22.1	Introduction.....	257
22.2	Principles.....	257
22.3	Informed Decision-Making .....	258
22.4	Officer Accountability .....	258
22.5	Recruitment .....	258
22.6	Scrutiny .....	258
22.7	Information for Members.....	258
22.8	Members as Customers.....	258
SECTION 23.....		260
23.	Code of Corporate Governance .....	260
23.1	Introduction.....	261
23.2	Why Adopt a Code of Corporate Governance?.....	261
23.3	What is Corporate Governance? .....	262
23.4	Why do we need a Code of Corporate Governance?.....	262
23.5	The Vale of Glamorgan Council's Principles of Good Governance .....	263
23.6	Monitoring and Review .....	280
23.7	The Annual Governance Statement.....	280
SECTION 24.....		281
24.	Confidential Reporting (“Whistleblowing Policy”) Code.....	281
24.1	Introduction.....	281
24.2	Scope .....	282
24.3	Protection and Confidentiality .....	283
24.4	What You Should Report .....	284

24.5	Anonymous or Untrue Allegations.....	284
24.6	How to Raise a Concern.....	285
24.7	Guidelines for Managers.....	286
24.8	How We Will Respond.....	288
24.9	Taking the Matter Further .....	289
24.10	Monitoring.....	289
24.11	Final Notes .....	290
24.12	Appendices.....	290
SECTION 25.....		292
25.	Member Role Descriptions.....	292
25.1	Elected Member Role Description.....	292
25.2	Leader(s) (and Deputy) Role Description.....	294
25.3	Deputy Leader(s).....	296
25.4	Cabinet Member Role Description .....	296
25.5	Chair of the Council Role Description .....	298
25.6	Vice-Chair.....	299
25.7	Chair of Democratic Services Committee Role Description.....	299
25.8	Member of a Democratic Services Committee Role Description .....	301
25.9	Chair of a Regulatory Committee Role Description .....	302
25.10	Member of a Regulatory Committee Role Description .....	303
25.11	Chair of Standards Committee Role Description.....	304
25.12	Member of Standards Committee Role Description .....	305
25.13	Chair of Governance and Audit Committee Role Description.....	306
25.14	Member of Governance and Audit Committee Role Description .....	308
25.15	Scrutiny Committee Chair Role Description .....	309
25.16	Scrutiny Committee Member Role Description.....	311
25.17	Leader of Opposition Groups Role Description .....	312
25.18	Role of the Deputy Leader of Opposition Groups.....	313

25.19	Member Champion Purpose and Role.....	313
25.20	Member Champion Role Description .....	314
25.21	Elected Member Person Specification .....	315
25.22	Leader(s) Person Specification.....	316
25.23	Cabinet Member Person Specification.....	318
25.24	Chair of the Council Person Specification .....	319
25.25	Chair of Regulatory Committee Person Specification.....	320
25.26	Regulatory Committee Member Person Specification .....	320
25.27	Scrutiny Committee Chair Person Specification.....	321
25.28	Scrutiny Committee Member Person Specification .....	322
25.29	Leader of Opposition Groups Person Specification.....	324
25.30	Member Champion Person Specification .....	324
SECTION 26.....		326
26.	Officer Delegations .....	326
SECTION 27.....		392
27.	Members' Allowances Scheme .....	392
27.1	Basic Salary .....	393
27.2	Senior Salaries .....	393
27.3	Co-opted Members' Allowances .....	394
27.4	Travelling Allowances.....	395
27.5	Subsistence Allowances .....	395
27.6	Cost of Care Payment .....	395
27.7	Civic Salaries.....	396+653