

Summary and Explanation PART A - Contents

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SUMMARY AND EXPLANATION

A1.01 THE COUNCIL'S CONSTITUTION

North Lincolnshire 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 the law, while others are a matter for the Council to choose.

The Constitution is divided into 16 Articles which set out the basic rules governing the Council's business. More detailed procedures and codes of practice are provided in separate rules and protocols at the end of the document.

A1.02 WHAT'S IN THE CONSTITUTION?

Article 1 of the Constitution commits the Council to the framework to achieve the Council's objectives and strategic ambition for the area.

The role of the Council is to work with citizens and partners in leading the area and promoting prosperity and wellbeing, whilst preventing harm and prioritising the most vulnerable, thus achieving better outcomes for the people and place of North Lincolnshire and being safe, well, prosperous and connected.

The Council Plan has been published for 2022 - 2025 [Council Plan - North Lincolnshire Council \(northlincs.gov.uk\)](https://www.northlincs.gov.uk/council-plan)

For 2022-25 the priorities for the Council are:

- Keeping people safe and well
- Enabling resilient and flourishing communities
- Enabling economic growth and renewal
- Providing value for money for local taxpayers

Articles 2 - 16 explain the rights of citizens and how the key parts of the Council operate:-

- Members of the Council [Article 2]
- Citizens and the Council [Article 3]
- The Council Meeting [Article 4]
- Chairing the Council [Article 5]
- Overview and Scrutiny of Decisions [Article 6]
- The Executive [Article 7]
- Regulatory and Other Committees [Article 8]
- The Standards Committee [Article 9]
- Area Committees and Forums [Article 10]
- Joint Arrangements [Article 11]

- Officers [Article 12]
- Decision Making [Article 13]
- Finance, Contracts and Legal Matters [Article 14]
- Review and Revision of the Constitution [Article 15]
- Suspension, Interpretation and Publication of the Constitution [Article 16]

A1.03 HOW THE COUNCIL OPERATES

The Council comprises 43 Councillors elected every four years. Councillors are democratically accountable to residents of their wards. The overriding duty of councillors is to the whole community but they have a special duty to their constituents.

Councillors have to agree to follow a code of conduct to ensure high standards in the way they undertake their duties. The 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 the councillors decide certain of the Council's policies and set the budget each year. The functions and operation of the Council are described in more detail in Article 4. However, the key roles of Council are the debating and approval of the budget, the promotion of community engagement and the receipt and confirmation (where necessary) of minutes of meetings of Committees.

A1.04 HOW DECISIONS ARE MADE

The Executive is the part of the Council which is responsible for most day to day strategic and operational decisions, some of which are delegated to officers. The Executive is made up of the Leader and a Cabinet of councillors appointed by the Leader. When major decisions are to be discussed or made, details are published on the Council's website insofar as they can be anticipated. If these major decisions are to be discussed at a meeting of the Executive, this will generally be open for the public to attend, except where personal or confidential matters are being discussed. The Executive 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 as a whole to decide.

A1.05 OVERVIEW AND SCRUTINY

There are three Overview and Scrutiny Panels called "Scrutiny Panels" (although more may be appointed if necessary) which support the work of the Executive and the Council as a whole. They allow citizens to have a greater say in council matters by holding public enquiries into matters of local concern. These lead to reports and recommendations which advise the Executive and

the Council as a whole on its policies, budget and service delivery. Scrutiny Panels also monitor the decisions of the Executive. They can “call in” a decision which has been made by the Executive but not yet implemented. This enables them to consider whether the decision is appropriate. They may recommend that the Executive reconsider the decision, or refer the decision to full Council. They may also be consulted by the Executive or the Council on forthcoming decisions and the development of policy.

A1.06 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 services. Officers have a duty to ensure that the Council acts within the law and uses its resources wisely. The Chief Financial Officer and Monitoring Officer have specific duties in this regard. A protocol governs the relationships between officers and members of the Council.

A1.07 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. Local agencies/advice centres can advise on the legal rights of individuals.

Where members of the public use specific council services, for example as a parent of a school pupil or as a council tenant, they 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.
- Find out from the Executive what major decisions are to be discussed by the Executive or decided by the Executive or officers, and when.
- Attend meetings of the Executive where key decisions are being discussed or decided.
- See reports and background papers and any record of decisions made by the Council and Executive.
- Complain to the Council about a standard of service provided by the Council in accordance with the Council’s Complaints Procedure.

- Complain to the Local Government 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
- Complain to the Monitoring Officer of the Council if they have evidence which they think shows that a Councillor has not followed the Council's Code of Conduct
- Inspect the Council's accounts and make their views known to the Council's external auditor.

Citizens are required to treat members and officers with respect. Citizens must not abuse Council staff or members and must not bully or harass them.

The Council welcomes participation by its citizens in its work. For further information on your rights as a citizen please contact the Council at the Church Square House, High Street, Scunthorpe or at any of its Local Link offices.

A1.08 EUROPEAN UNION WITHDRAWAL

References to legislation including statutory instruments contained within this document may have been superseded by changes derived from the European (Withdrawal) Act 2018 ("the Act") and subordinate legislation introduced as a result of Brexit. Users should check references contained within to ensure they are up to date. No liability is accepted for reliance or loss arising from the specified legislation or procedure which has subsequently been amended by the Act or European Union Exit Statutory Legislation from the date of publication.