

# Decision Making

Decisions within the Council can either be made by elected members or officers. Generally, elected members make important strategic decisions on policy and officers make the operational decisions within those policies. It is important that elected members and officers work together for the benefit of North Northamptonshire.

This document provides an introduction to how decision making works.

## 1. PRINCIPLES OF DECISION MAKING

- 1.1. When the Council makes decisions we will make sure that we do the following;
  - a) Make sure that the action we are taking is proportionate to the results we need to achieve
  - b) Make sure that we consult where appropriate to do so
  - c) Respect human rights
  - d) Ensure that the decision represents best value for North Northamptonshire
  - e) Ensure that we are open and transparent in the way we make decisions
  - f) Be clear about what we trying to achieve and what the outcomes will be
  - g) Consider whether an alternative option is more appropriate
  - h) Give reasons for why we have made decisions

## 2. TYPES OF DECISION AND THE DECISION TAKERS

### 2.1. Council

- 2.1.1. Full Council is a meeting of all the elected members where they discharge the functions contained within Part Three of the Constitution. Council approves the Budget and Policy Framework which is the framework which the Executive must operate within.

- 2.1.2. There are different types of Council meetings;

- a) The annual meeting of the Council which is generally held in May
  - b) Ordinary meetings which are held bi-monthly
  - c) Extraordinary meetings if there is a specific item that needs to be considered outside the schedule meetings

- 2.1.3. The Meeting Procedure Rules set out how members will debate items that are on the agenda and other rules relating to how the meetings are conducted.
- 2.1.4. Full Council will set the Council's budget in February each year. The budget has a number of elements including:
  - a) The allocation of financial resources to different services and projects
  - b) Proposed contingency funds
  - c) The Council tax base
  - d) Setting the Council tax
  - e) The Council's borrowing requirements
  - f) The Council's capital expenditure
  - g) The setting of virement limits

## **2.2. The Hybrid Model of Governance**

- 2.2.1. The Council operates a hybrid "Executive" governance model. It is open to the Council to change to other models of governance, provided it follows the process set out in legislation.
- 2.2.2. Under this model, the Council appoints a Leader of the Council who will serve for a four year term; he/she will appoint a Deputy Leader and will be the Chair of the Executive. The Leader will then appoint up to 8 other Councillors who, together with the Leader form the Executive.
- 2.2.3. The Executive generally takes the lead on deciding on a range of strategic matters however they must make sure that their decisions are in accordance with the budget and policy framework adopted by Council.
- 2.2.4. Some decisions must be taken by Council (or Committees on its behalf) and these are set out in this Constitution. Any other decision is an executive function and decision shall be made by the Executive or on its behalf.
- 2.2.5. The Council wants to ensure that it involves a wide range of elected members in its policy development for important matters that are executive functions. It has therefore created Executive Advisory Panels. These are cross party Panels which are led by a member of the Executive. They will help to develop policy and look at important decisions before they are made by the Executive and then provide recommendations to the Executive which will help to inform their

decision making. They are an important aspect of creating an inclusive decision making culture.

### **2.3. The Executive**

- 2.3.1. Executive meetings are open to the public with the exception of confidential or exempt matters. The terms confidential and exempt are defined in this constitution.
- 2.3.2. Each member of the Executive may be allocated a portfolio of services for which they will act as spokesperson, with a role in the communication of policies and initiatives, and in aspects of the design of services. They will have an oversight of the performance of that service area. They are referred to as Portfolio Holders.
- 2.3.3. The Leader can make decisions on behalf of the Executive or he/she may decide to give specific powers to members of the Executive.

### **2.4. Scrutiny Committees**

- 2.4.1. The Council has Scrutiny Committees which support the council. The Committees role is to hold the Executive to account and provide reviews into Council functions where appropriate. The Committee is essential to good governance and making sure there is challenge to decision making where appropriate.

## **3. OTHER ARRANGEMENTS**

- 3.1. In addition to the Scrutiny Committees, the Council has other Committees which make decisions on public functions (e.g. planning, licensing). The Council also has other partnership bodies, including for example, the Health and Wellbeing Board, where councillors, officers and external partners work together.
- 3.2. Some functions will be delivered in conjunction with West Northamptonshire Council, either by this Council providing a service which also affects residents in West Northamptonshire Council's area, or by West Northamptonshire Council providing a service to residents in North Northamptonshire. Some of these arrangements are time limited and some are intended to be permanent. The Constitution describes the arrangements for joint decision making and management of these services.
- 3.3. It also describes the relationship between the Council and the Childrens' Trust for Northamptonshire.

#### **4. CITIZENS RIGHTS**

4.1. Members of the public have a number of rights in their dealings with the Council. These rights are set out in Part Two. notwithstanding any general rights in law.

#### **5. DECISION MAKING BY OFFICERS**

5.1. Some executive and Council decisions can be made by Officers and the extent of this authority is set out in the Officer Scheme of Delegation. All Key Decisions need to be recorded and published but some other decisions also need to be recorded. Further details is set out in the Access to Information Procedure Rules.

#### **6. KEY DECISIONS**

6.1. The definition of a Key Decision is set out in The Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2000 and is defined as;

6.2. An executive decision, which is likely

- i. to result in the relevant local authority incurring expenditure which is, or the making of savings which are, significant; or
- ii. to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions

6.3. The council has decided that significant expenditure or savings are those amounting to above £500,000.

6.4. All Key Decisions must be published on the website 28 days in advance of them being made unless they are urgent in which case there are processes to follow which include seeking the approval of the Chairman of the relevant Scrutiny Committee. The Forward Plan enables the public and all members to understand the key decisions that are going to be taken and make representations in advance.

6.5. Key Decisions have to be published within 2 clear working days of being made and will be published on the website.

6.6. Scrutiny Committees have the ability to call in Key Decisions and any other decisions which have been included on the Forward Plan and have 5 clear working days to call in the decision following their publication on the website (in accordance with the Scrutiny Procedure Rules).

## **7. FINANCE, CONTRACTS AND LEGAL MATTERS**

### **7.1. Finance**

7.1.1. The Council manages its financial affairs in accordance with the Financial Procedure Rules

### **7.2. Contracts**

7.2.1. The way that the Council procures, enter into and/or manages contracts shall be in accordance with the Contract Procedure Rules

### **7.3. Authentication of Legal Documents**

7.3.1. The Monitoring Officer or any person she authorises shall sign documents which are necessary to any legal proceedings

### **7.4. Common Seal of the Council**

7.4.1. Certain documents shall have the Council's Common Seal affixed to them rather than a signature of an Officer. The affixing of the Common Seal shall be attested by any Chief Officer or Officer as authorised by the Monitoring Officer.

**End of Decision Making**

**February 2021**