

Introduction, Summary and Explanation

This document is the Council's Constitution. It contains details of how the Council works, how decisions are made and where you can find out information about it.

You will see boxes at the beginning of each document like this which will give you a summary of what information you can expect to find within the document and provide you with a brief introduction.

1. INTRODUCTION

- 1.1. On 1st April 2021 a new council namely North Northamptonshire Council took on responsibility for local government services previously delivered by Corby Borough Council, the Borough Council of Wellingborough, East Northants District Council and Kettering Borough Council. It also took on the powers of Northamptonshire County Council within its boundary. It was created by the Northamptonshire (Structural Changes) Order 2000 (the 2000 Order”).
- 1.2. The constitution sets out;
 - a) How the Council operates
 - b) How its decisions are made
 - c) What procedures will be followed.
- 1.3. The council is required by the Local Government Act 2000 to maintain a constitution and whilst some of the processes in this constitution are required by law, others are needed to make sure that those responsible for delivering public services are accountable, that decisions are transparent and that they are in the public interest.
- 1.4. The constitution governs the actions of elected councillors (“members of the Council”), any persons co-opted to its decision making arrangements, its officers, contractors and where identified, third parties.
- 1.5. Wherever possible, this constitution is written in plain English because the council wants to provide a clear and accessible explanation of how the council operates. If you have suggestions as to how the constitution can be improved then please contact Adele Wylie who is the Monitoring Officer and responsible for the upkeep of the constitution.

- 1.6. The constitution can only be changed by full council, in public session, unless there are minor or consequential changes which can be completed by the Monitoring Officer. (A consequential change is one which arises from a decision made by councillors on another matter, which means that the wording in the constitution needs to be changed to reflect the impact of that – e.g. a change of name of a committee or an officer post).

2. WHAT IS THE CONSTITUTION AND HOW DOES IT WORK?

- 2.1. The constitution is divided into seven parts. (A further Part 8 provides provisions for the period between 1st April 2021 and 10th May 2021 before elections are held to the council; and will fall away thereafter).

Part One - Summary and Explanation

- Sets out an explanation of what the Council is and how it works.

Part Two - Public Participation and Rights

- Sets out how the public can participate in decision making and also outlines their rights.

Part Three - Council

- Sets out the Council's Rules of Procedure, and the functions of full council including the rules on the Budget and Policy Framework.

Part Four - Committees

- Sets out the Terms of Reference for non-executive committees – these are there to set out the powers and remit of the committees and to establish how meetings will be conducted. They also ensure that decisions made in these meetings are lawful.

Part Five - Executive

- Sets out the rules relating to the Executive and also describes the Executive Advisory Panels that recommend items to the Executive

Part Six - Scrutiny

- Sets out the rules relating to Scrutiny, including how they can call in items and exercise their rights to review matters of local concern

Part Seven - Joint Arrangements

- Sets out the arrangements for where services continue to be jointly delivered with the West Northamptonshire Council on a formal basis.

Part Eight - Councillors

- Sets out matters relating to standards and allowances for elected members of the council

Part Nine - Officers

- Sets out the financial, contractual, and employment rules which apply to the conduct of the Council's business as a provider of services, as an employer, and as a purchaser of goods and services. It also sets out how officers make decisions.

Part Ten - Interim Arrangements

- Sets out interim arrangements that cease to apply on 10th May 2021.

3. HOW THE COUNCIL OPERATES

3.1. Councillors

- 3.1.1. The council has 78 elected councillors. Each councillor will represent residents in their electoral ward. There are 26 wards in the council's area, each ward has three members. Elections are held every four years. The wards are described in the 2020 statutory Order and are subject to review by the Electoral Commission from time to time. Councillors are directly accountable to their constituents for the running of the council. They have a duty to represent all their constituents, combined with a duty to make decisions in the interests of the whole area of North Northamptonshire, over and above any particular part of it.
- 3.1.2. Councillors have to adhere to a Member Code of Conduct. If you have any concerns about an elected member then you can contact the Monitoring Officer who is responsible for upholding ethical standards.
- 3.1.3. All councillors meet together as the council (sometimes referred to as "Full Council"). Formal meetings of the council are open to the public with the exception of confidential or exempt items. At these meetings, councillors will decide upon key strategies for how the council operates and will set a budget each year. Each year the council will also approve the creation of committees for different local government functions (eg, planning, licensing) and political groups will nominate councillors to be members of those committees. Most committees are politically balanced, this means that membership will represent the political make-up of the whole council.
- 3.1.4. Some councillors will also be members of the Executive which is a group of up to 10 elected members who strategically lead the council. The Executive is held to account by the members of the Scrutiny Committee who provide a role of "critical friend" to the Executive.
- 3.1.5. Every four years the council will elect a Leader of the council and they will chair the Executive.

3.1.6. Councillors will work closely with officers in developing policies and strategies, to give directions to the council's vision and values and to ensure services are effectively delivered in accordance with its wishes. Councillors do not however have a role in the actual delivery of services and cannot be employed by the council in any capacity.

3.2. Council Employees

3.2.1. The council has people working for it (referred to as "Officers") to give advice, implement decisions and manage the day to day delivery of services. The most senior officer is the Chief Executive. Some officers have specific responsibility by law to make sure that the council acts lawfully and uses resources effectively, economically and efficiently.

3.2.2. The rules within this constitution direct how officers operate and make decisions, for example around conduct, procurement, use of resources, use of information and employment practices.

3.3. Meetings of the Council

3.3.1. All formal decision-making meetings of the council are open to the public, except where an item of confidential or exempt business (which is defined in the Access to Information Procedure Rules) is being discussed.

3.3.2. There may be, in addition, informal, non-decision-making meetings, where councillors and officers are able to meet in private to discuss the way in which policy or service design options are to be assessed and presented, prior to reports or possible actions being placed in the public domain.

3.4. Rights of members of the public

3.4.1. 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.

End of Introduction, Summary and Explanation

February 2021