

The Council's Constitution

The Warwickshire County Council has agreed a new constitution which sets out

- how the Council operates
- how decisions are made
- who makes decisions
- how citizens, businesses and other organisations can participate
- the procedures which are followed to ensure the Council is 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 a number of different parts i.e.

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| Part 1 | Contains the Articles which give a broad overview of the constitution and the way the council is organised. |
| Part 2 | Lists the responsibilities and powers of Council, the Cabinet, committees and officers. |

- Part 3 Sets out the detailed procedural rules which govern the conduct of the council's business and the decision-making process.
- Part 4 Sets out the codes of conduct to be followed by councillors and employees.
- Part 5 Contains the members allowances scheme which sets out the allowances payable to councillors.
- Part 6 Describes the management structure of the Council.

The County Council

Warwickshire County Council provides a wide range of services to over half a million residents. It works with other public, private and voluntary bodies to make Warwickshire a better place for people to live and work. It has specific responsibilities to provide:-

- schools and other educational opportunities
- social care services for young and older people
- libraries, museums and other cultural activities
- the Fire and Rescue Service

- the Trading Standards service
- highways and other public rights of way
- planning advice as the strategic planning authority, and determining planning applications for mining and waste disposal activities

County Councillors

There are 62 elected county councillors, representing 56 electoral divisions in Warwickshire. Collectively they are known as the Council. They meet together at least 6 times a year. The Council decides what the main plans and policies of the council should be and sets the annual budget.

Councillors are democratically accountable to residents of their electoral division. The overriding duty of the 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.

Councillors are elected, usually on the first Thursday in May, every four years. The next elections are scheduled for 2009. Their term of office starts on the fourth day after being elected

and finishes on the fourth day after the date of the next election.

Key Roles of councillors are:

- to represent the people of Warwickshire, the interests of their electoral division and of individual constituents;
- to provide community leadership and contribute to the good governance of the area
- to actively encourage community participation and citizen involvement in decision making;
- to be the ultimate policy makers and participate in the governance and management of the Council
- to promote and maintain the highest standards of conduct and ethics in the conduct of council business.

The full Council

This is all the county councillors meeting together to make decisions about the policies to be adopted by the local authority and to set the annual budget.

The Cabinet

The Cabinet consists of the Leader of the Council and up to 9 other county councillors. The Leader and the other members of the Cabinet are appointed annually by the Council.

The Cabinet is responsible for most day-to-day decisions taken by the local authority. Some decisions it takes itself and other decisions are delegated to officers. When major decisions (key decisions) are to be discussed or made, these are published in the Council's forward plan.

The Cabinet usually meets in public unless personal or confidential matters are being discussed.

The Cabinet 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.

Overview and Scrutiny Committees

These committees support the work of the Cabinet and the Council as a whole on the development of policies, budget and service delivery. They also look at how well the Council is performing and monitor the decisions of the Cabinet. They can "call-in" a decision which has been made by the

Cabinet but not yet implemented to consider whether or not it is appropriate.

Audit and Standards Committee

This committee is made up of councillors and independent people. It is concerned with ensuring that the Council has robust systems of internal control and making sure that both councillors and officers follow high standards of conduct in the way they conduct the business of the council.

Regulatory Committee

This committee deals primarily with planning applications, licensing and arrangements for various types of appeals. It also deals with most of the appointments that the council makes to outside bodies and is responsible for overseeing the council's pension funds.

Area Committees

In order to give local citizens a greater say in county council affairs, 4 area committees have been created. These cover 4 of the district/borough council areas (North Warwickshire, Rugby, Nuneaton & Bedworth and Warwick). They involve county councillors for each particular area and are held in public.

Area Committees have particular responsibilities to look at the performance of services delivered locally and to comment on how policy developments may affect their areas. They also have responsibilities to promote the well-being of their area through community planning.

In the Stratford District the County Council has established joint committees with the District Council.

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. A code of practice governs the relationships between officers and councillors. Some officers have specific roles to help the Council act within the law and use its resources wisely.

- The Chief Executive is the Head of Paid Service who leads the council's staff and advises on policies, staffing, service delivery and the effective use of resources.
- The Strategic Director of Performance and Development is the Monitoring Officer, who advises on issues relating to the law, the constitution and conduct.

- The Strategic Director of Resources is the Chief Finance Officer who advises on the effective management of the Council's finances in accordance with appropriate standards and conduct.

Citizen's Rights

Citizens have a number of rights in their dealings with the Council. Some of these are legal rights, whilst others depend on the Council's own processes. The local Citizen's Advice Bureau can advise on individuals' legal rights.

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 the 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, the Cabinet and 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 any public question times or public interest debates and contribute, where appropriate, to investigations by the overview and scrutiny committees;
- find out, from the Council's forward plan, what key decisions are to be discussed by the Cabinet or officers, and when;
- see reports and background papers, and any record of decisions made by the Council and Cabinet;
- complain to the Council if they are dissatisfied with the service provided by or on behalf of the Council. A copy of the councils complaints procedure and what it covers can be obtained from any of our offices or by phoning us during office hours, free of charge, on

0800 169 2076

- complain to the Ombudsman if they think the Council has not followed its procedure properly. However, they should only do this after using the Council's own complaints process;

- complain to the Standards Board for England 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 during the audit process 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 or if you need to contact someone about any of our services please phone

01926 410410 OR 0845 090 7000

Our offices and the switchboard at Shire Hall are open from

**9.00 am to 5.30pm Monday to Thursday; and
9.00 am to 5.00pm on Fridays**

A telephone operator will put you in touch with someone who can help

**You can access information about committee meetings, our constitution, councillors and latest news on our website at
www.warwickshire.gov.uk.**