

Torbay Council's Constitution

Contents

Part 1 Introduction to the Constitution and how the Council operates (Pages 1 - 4)

Part 2 Articles of the Constitution

Article 1 - The Constitution (Pages 5 - 6)

Article 2 - Members of the Council (Pages 7 - 10)

Article 3 - Local People and the Council (Pages 11 - 12)

Article 4 - The Council (Pages 13 - 16)

Article 5 - Overview and Scrutiny (Pages 17 - 20)

Article 6 - The Leader and Cabinet (Pages 21 - 24)

Article 7 - Regulatory and other Committees (Pages 25 - 26)

Article 8 - Community Involvement (Pages 27 - 28)

Article 9 - Joint Arrangements (Pages 29 - 30)

Article 10 - Officers (Pages 31 - 34)

Article 11 - Decision-making (Pages 35 - 38)

Article 12 - Finance, Contracts and Legal Matters (Pages 39 - 40)

Article 13 - Review and Revision of the Constitution (Pages 41 - 42)

Article 14 - Suspension, Interpretation and Publication of the Constitution (Pages 43 - 44)

Article 15 - Health and Wellbeing (Pages 45 - 46)

Schedule 1 - Description of Executive Arrangements (Pages 47 - 48)

Part 3 Responsibility for Functions

Introduction to Responsibility for Functions (Pages 49 - 50)

Schedule 1 - Local Choice Functions (Pages 51 - 54)

Schedule 2 - Council Functions (Pages 55 - 78)

Schedule 3 - Circumstances in which Functions are not to be the Responsibility of the Executive (Pages 79 - 80)

Schedule 4 - Terms of Reference, Overview and Scrutiny Board, Regulatory, Area and Other Committees (Pages 81 - 98)

Schedule 5 - Scheme of Delegation of Executive Functions to the Cabinet, Cabinet Committees and Officers (Pages 99 - 102)

Schedule 6 - Officer Scheme of Delegation (Pages 103 - 128)

Schedule 7 - Proper Officers and Statutory Appointments (Pages 129 - 140)

Part 4 Standing Orders and Financial Regulations

Standing Orders - Council Meetings (Pages 141 - 182)

Standing Orders - Committee and Sub-Committee Meetings (Pages 183 - 190)

Standing Orders - The Cabinet (Pages 191 - 198)

Standing Orders - Overview and Scrutiny (Pages 199 - 210)

Standing Orders - Access to Information (Pages 211 - 224)

Standing Orders - Budget and Policy Framework (Pages 225 - 234)

Standing Orders - Officer Employment (Pages 235 - 244)

Standing Orders - Health and Wellbeing Board (Pages 245 - 250)

Standing Orders - Remote/Hybrid Meetings (Pages 251 - 256)

Financial Regulations and Contracts Procedures (Pages 257 - 320)

Part 5 Codes and Protocols

Code of Conduct for Members (Pages 321 - 352)
Code of Conduct for Employees (Pages 353 - 370)
Code of Corporate Governance (Pages 371 - 382)
Local Protocol on Member and Officer Relations (Pages 383 - 394)
Local Protocol on Relations between the Leader and Political Groups (Pages 395 - 402)
Local Protocol in relation to Group Assistants (Pages 403 - 408)
Local Protocol on External Advisors to Political Groups (Pages 409 - 412)
Local Protocol in relation to the Monitoring Officer (Pages 413 - 418)
Local Code of Good Practice for Members and Employees Involved in the Planning Process (Pages 419 - 444)
Local Code of Practice for Members and Officers dealing with Licensing Matters (Pages 445 - 456)
Local Protocol on Working Parties (Pages 457 - 460)
Local Protocol on Gifts and Hospitality (Pages 461 - 468)
Local Protocol on Members' IT (Pages 469 - 478)
Local Protocol for the Assessment and Determination of Allegations of Breaches of the Members Code of Conduct (Pages 479 - 492)
Local Protocol on Member Champions (Pages 493 - 498)
Local Protocol Consultation Arrangements with Town/Parish Councils and Neighbourhood Forums for Planning Applications (Pages 499 - 504)
Local Protocol DBS Checks for Members (Pages 505 - 508)
Local Protocol for Members of the Harbour Committee (Pages 509 - 516)
Local Protocol for Civic and Ceremonial (Pages 517 - 530)
Local Protocol Shadow Cabinet (Pages 531 - 534)
Local Protocol on Indemnity and Insurance for Members and Officers (Pages 535 - 540)
Local Protocol on Relations Between Overview and Scrutiny and the Cabinet (Pages 541 - 546)
Local Protocol on Good Governance the Torbay Way Leaders Agreement (Pages 547 - 552)

Part 6 Members' Allowances Scheme and Job Descriptions for Members

Members' Allowances Scheme (Pages 553 - 560)
Job Descriptions (Pages 561 - 576)

If you require this document in a different format or language, please
contact

Governance Support telephone 01803 207087
e-mail governance.support@torbay.gov.uk