

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 - 20)
 - Article 5 - Overview and Scrutiny (Pages 21 - 24)
 - Article 6 - The Leader and Cabinet (Pages 25 - 28)
 - Article 7 - Regulatory and other Committees (Pages 29 - 30)
 - Article 8 - Community Involvement (Pages 31 - 32)
 - Article 9 - Joint Arrangements (Pages 33 - 34)
 - Article 10 - Officers (Pages 35 - 38)
 - Article 11 - Decision-making (Pages 39 - 42)
 - Article 12 - Finance, Contracts and Legal Matters (Pages 43 - 44)
 - Article 13 - Review and Revision of the Constitution (Pages 45 - 46)
 - Article 14 - Suspension, Interpretation and Publication of the Constitution (Pages 47 - 48)
 - Article 15 - Health and Wellbeing (Pages 49 - 50)
 - Schedule 1 - Description of Executive Arrangements (Pages 51 - 52)
- Part 3 Responsibility for Functions**
- Introduction to Responsibility for Functions (Pages 53 - 54)
 - Schedule 1 - Local Choice Functions (Pages 55 - 58)
 - Schedule 2 - Council Functions (Pages 59 - 82)
 - Schedule 3 - Circumstances in which Functions are not to be the Responsibility of the Executive (Pages 83 - 84)
 - Schedule 4 - Terms of Reference, Overview and Scrutiny Board, Regulatory, Area and Other Committees (Pages 85 - 102)
 - Schedule 5 - Scheme of Delegation of Executive Functions to the Cabinet, Cabinet Committees and Officers (Pages 103 - 106)
 - Schedule 6 - Officer Scheme of Delegation (Pages 107 - 132)
 - Schedule 7 - Proper Officers and Statutory Appointments (Pages 133 - 144)
- Part 4 Standing Orders and Financial Regulations**
- Standing Orders - Council Meetings (Pages 145 - 186)
 - Standing Orders - Committee and Sub-Committee Meetings (Pages 187 - 194)
 - Standing Orders - The Cabinet (Pages 195 - 202)
 - Standing Orders - Overview and Scrutiny (Pages 203 - 214)
 - Standing Orders - Access to Information (Pages 215 - 228)
 - Standing Orders - Budget and Policy Framework (Pages 229 - 238)
 - Standing Orders - Officer Employment (Pages 239 - 248)
 - Standing Orders - Health and Wellbeing Board (Pages 249 - 254)
 - Standing Orders - Remote/Hybrid Meetings (Pages 255 - 260)
 - Financial Regulations and Contracts Procedures (Pages 261 - 322)

Part 5 Codes and Protocols

Code of Conduct for Members (Pages 323 - 356)

Code of Conduct for Employees (Pages 357 - 376)

Code of Corporate Governance (Pages 377 - 388)

Local Protocol on Member and Officer Relations (Pages 389 - 400)

Local Protocol on Relations between the Leader and Political Groups
(Pages 401 - 408)

Local Protocol in relation to Group Assistants (Pages 409 - 414)

Local Protocol on External Advisors to Political Groups (Pages 415 - 418)

Local Protocol in relation to the Monitoring Officer (Pages 419 - 424)

Local Code of Good Practice for Members and Employees Involved in the
Planning Process (Pages 425 - 450)

Local Code of Practice for Members and Officers dealing with Licensing
Matters (Pages 451 - 462)

Local Protocol on Working Parties (Pages 463 - 466)

Local Protocol on Gifts and Hospitality (Pages 467 - 474)

Local Protocol on Members' IT (Pages 475 - 484)

Local Protocol for the Assessment and Determination of Allegations of
Breaches of the Members Code of Conduct (Pages 485 - 498)

Local Protocol on Member Champions (Pages 499 - 504)

Local Protocol Consultation Arrangements with Town/Parish Councils and
Neighbourhood Forums for Planning Applications (Pages 505 - 510)

Local Protocol DBS Checks for Members (Pages 511 - 514)

Local Protocol for Members of the Harbour Committee (Pages 515 - 522)

Local Protocol for Civic and Ceremonial (Pages 523 - 536)

Local Protocol Shadow Cabinet (Pages 537 - 540)

Local Protocol on Indemnity and Insurance for Members and Officers
(Pages 541 - 546)

Local Protocol on Relations Between Overview and Scrutiny and the
Cabinet (Pages 547 - 552)

Local Protocol on Good Governance the Torbay Way Leaders Agreement
(Pages 553 - 558)

Part 6 Members' Allowances Scheme and Job Descriptions for Members

Members' Allowances Scheme (Pages 559 - 566)

Job Descriptions (Pages 567 - 582)

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