

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 - 318)

Part 5 Codes and Protocols

Code of Conduct for Members (Pages 319 - 352)

Code of Conduct for Employees (Pages 353 - 372)

Code of Corporate Governance (Pages 373 - 380)

Local Protocol on Member and Officer Relations (Pages 381 - 392)

Local Protocol on Relations between the Leader and Political Groups
(Pages 393 - 400)

Local Protocol in relation to Group Assistants (Pages 401 - 406)

Local Protocol on External Advisors to Political Groups (Pages 407 - 410)

Local Protocol in relation to the Monitoring Officer (Pages 411 - 416)

Local Code of Good Practice for Members and Employees Involved in the
Planning Process (Pages 417 - 442)

Local Code of Practice for Members and Officers dealing with Licensing
Matters (Pages 443 - 454)

Local Protocol on Working Parties (Pages 455 - 458)

Local Protocol on Gifts and Hospitality (Pages 459 - 466)

Local Protocol on Members' IT (Pages 467 - 476)

Local Protocol for the Assessment and Determination of Allegations of
Breaches of the Members Code of Conduct (Pages 477 - 490)

Local Protocol on Member Champions (Pages 491 - 496)

Local Protocol Consultation Arrangements with Town/Parish Councils and
Neighbourhood Forums for Planning Applications (Pages 497 - 502)

Local Protocol DBS Checks for Members (Pages 503 - 506)

Local Protocol for Members of the Harbour Committee (Pages 507 - 514)

Local Protocol for Civic and Ceremonial (Pages 515 - 528)

Local Protocol Shadow Cabinet (Pages 529 - 532)

Local Protocol on Indemnity and Insurance for Members and Officers
(Pages 533 - 538)

Local Protocol on Relations Between Overview and Scrutiny and the
Cabinet (Pages 539 - 544)

Local Protocol on Good Governance the Torbay Way Leaders Agreement
(Pages 545 - 550)

Part 6 Members' Allowances Scheme and Job Descriptions for Members

Members' Allowances Scheme (Pages 551 - 558)

Job Descriptions (Pages 559 - 574)

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