



## THE COUNCIL'S CONSTITUTION – A SUMMARY EXPLANATION

The purpose of this Constitution is to set out with clarity for the benefit of Councillors, officers, members of the public and anybody who may have dealings with the Council:-

- the structure of the Council
- who has responsibility for making decisions on behalf of the Council
- arrangements which the Council has for review and scrutiny decisions made by it
- the processes and procedures to be followed in making and/or scrutinising and reviewing decisions of the Council
- the Protocols which govern the conduct of Councillors and officers
- the rights of citizens in relation to the Council

In fulfilling those aims the Constitution will support:-

- the Council in providing a clear leadership to the community of Bracknell Forest, in partnership with its citizens, businesses, the voluntary sector and other organisations
- the active involvement of citizens in the process of the Council decision-making
- Councillors in representing their constituents effectively
- the efficient and effective taking of decisions
- the holding of decision-makers to public account

The Constitution comprises the following parts:

Page No

### **Part 1 - The Structure of the Council**

- |    |   |       |
|----|---|-------|
| 1. | <b>Section 1 - Overview</b>               | 1 - 2 |
| 2. | <b>Section 2 - Members of the Council</b> | 3 - 4 |
| 3. | <b>Section 3 - The Council Meeting</b>    | 5 - 6 |

|    |  |         |
|----|--|---------|
| 4. | <b>Section 4 - The Executive</b>                                   | 7 - 8   |
| 5. | <b>Section 5 - Regulatory and Other Committees</b>                 | 9 - 10  |
| 6. | <b>Section 6 - The Standards Committee</b>                         | 11 - 12 |
| 7. | <b>Section 7 - Champions</b>                                       | 13 - 14 |
| 8. | <b>Section 8 - Joint Arrangements</b>                              | 15 - 16 |
| 9. | <b>Section 9 - Officers' Roles and Statutory Officer Functions</b> | 17 - 20 |

## **Part 2 - Responsibility for Decisions**

|     |   |         |
|-----|---|---------|
| 10. | <b>Section 1 - Introduction</b>                               | 21 - 22 |
| 11. | <b>Section 2 - Responsibility for Local Choice Functions</b>  | 23 - 24 |
| 12. | <b>Section 3 - Functions of the Council</b>                   | 25 - 26 |
| 13. | <b>Section 4 - Responsibility for Non-Executive Functions</b> | 27 - 34 |
| 14. | <b>Section 5 - Responsibility for Executive Functions</b>     | 35 - 44 |
| 15. | <b>Section 6 - Powers Exercisable by Officers</b>             | 45 - 50 |
| 16. | <b>Table 1 - Delegation to Officers</b>                       | 51 - 64 |

## **Part 3 - Overview & Scrutiny**

|     |   |         |
|-----|---|---------|
| 17. | <b>Section 1 - Introduction</b>                       | 65 - 66 |
| 18. | <b>Section 2 - Overview &amp; Scrutiny Commission</b> | 67 - 68 |
| 19. | <b>Section 3 - Overview &amp; Scrutiny Panels</b>     | 69 - 70 |
| 20. | <b>Section 4 - Conduct of Proceedings</b>             | 71 - 72 |

## **Part 4 - The Way in which the Council Operates**

|     |  |           |
|-----|--|-----------|
| 21. | <b>Section 1 - Introduction</b>  | 73 - 74   |
| 22. | <b>Section 2 - Principles of Decision Making</b>   | 75 - 78   |
| 23. | <b>Section 3 - Council Procedure Rules</b>   | 79 - 96   |
| 24. | <b>Annex - Scheme for Public Participation at Meetings of the Council</b>  | 97 - 102  |
| 25. | <b>Annex - Overview and Scrutiny Public Participation Scheme</b>   | 103 - 106 |
| 26. | <b>Annex - Guidance for Filming, Audio-Recording, Photographing and Using Social Media at Council and Committee Meetings</b> | 107 - 108 |
| 27. | <b>Section 4 - Committee Procedure Rules</b>   | 109 - 124 |

|     |   |           |
|-----|---|-----------|
| 28. | <b>Annex - Rules of debate diagram</b>  | 125 - 126 |
| 29. | <b>Section 5 - Access to Information Procedure Rules</b>  | 127 - 138 |
| 30. | <b>Section 6 - Budget and Policy Framework Procedure Rules</b>                                    | 139 - 144 |
| 31. | <b>Section 7 - Executive Procedure Rules</b>  | 145 - 148 |
| 32. | <b>Section 8 - Protocol for Executive Decision Making by Members under Executive Arrangements</b> | 149 - 156 |
| 33. | <b>Section 9 - Overview &amp; Scrutiny Procedure Rules</b>  | 157 - 166 |
| 34. | <b>Section 10 - Financial Regulations</b>   | 167 - 240 |
| 35. | <b>Section 11 - Contract Standing Orders</b>  | 241 - 252 |
| 36. | <b>Section 12 - Officer Employment Procedure Rules</b>  | 253 - 258 |
| 37. | <b>Section 13 - Code of Conduct for Members and Co-Opted Members</b>                              | 259 - 268 |
| 38. | <b>Section 14 - Employees' Code of Conduct</b>  | 269 - 280 |
| 39. | <b>Section 15 - Member and Officer Protocol</b>   | 281 - 294 |
| 40. | <b>Section 16 - Protocol for Members in Dealing with Planning Matters</b>                         | 295 - 302 |
| 41. | <b>Section 17 - Legal Proceedings Etc</b>   | 303 - 304 |
| 42. | <b>Section 18 - Leader and Chief Executive Protocol</b>   | 305 - 308 |

#### **Part 5 - Citizens and the Council**

|     |                                 |           |
|-----|---------------------------------|-----------|
| 43. | <b>Citizens and the Council</b> | 309 - 310 |
|-----|---------------------------------|-----------|

#### **Part 6 - Members' Allowances**

|     |   |           |
|-----|---|-----------|
| 44. | <b>Members' Allowances</b>  | 311 - 322 |
| 45. | <b>Schedule 1 - Special Responsibility Allowances</b>                     | 323 - 324 |
| 46. | <b>Schedule 2 - Approved Duties for Travel and Subsistence Allowances</b> | 325 - 326 |
| 47. | <b>Schedule 3 - Pension Policy Framework for Councillors</b>              | 327 - 328 |
| 48. | <b>Schedule 4 - Approved Conferences</b>                                  | 329 - 330 |

#### **Part 7 - Review, Revision, Suspension, Interpretation and Publication of the Constitution**

|     |   |           |
|-----|---|-----------|
| 49. | <b>Review, Revision, Suspension, Interpretation and Publication of the Constitution</b> | 331 - 332 |
|-----|---|-----------|

