

## PART 1 – SUMMARY AND EXPLANATION

### The Council's Constitution

Leeds City Council has agreed a constitution which sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by law, while others are a matter for the Council to choose.

The Articles in Part 2 of the Constitution set out the basic rules governing the Council's business. More detailed procedures and codes of practice are provided in separate rules and protocols in other Parts of the Constitution.

### What is in the Articles?

Article 1 of the Constitution commits the Council to open, responsive and accountable decision-making in achieving its City Priority Plans.

Articles 2 – 16 explain the rights of citizens and how the key parts of the Council operate. These are:

- Members of the Council (Article 2)
- Citizens and the Council (Article 3)
- The Council meeting (Article 4)
- Chairing the Council (Article 5)
- Scrutiny Boards (Article 6)
- The Executive (Article 7)
- Plans Panel (Article 8)
- Licensing Arrangements (Article 8A)
- Governance Committees (Article 9)
- Community committees (Article 10)
- Joint arrangements (Article 11)
- Officers (Article 12)
- Decision making (Article 13)
- Finance, contracts and legal matters (Article 14)
- Review and revision of the Constitution (Article 15)
- Suspension, interpretation and publication of the Constitution (Article 16)
- Health (Article 17)

### How the Council operates

The Council is composed of 99 Councillors (with one-third elected three years in four). Councillors are democratically accountable to residents of their Ward. The over-riding duty of Councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them.

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Councillors have to follow a code of conduct to ensure high standards in the way they undertake their duties. The Standards and Conduct Committee promotes and maintains high standards of conduct.

All Councillors meet together as the Council. Meetings of the Council are normally open to the public. Here Councillors decide the Council's overall policies and set the budget each year and hold to account the Executive and committees.

## **HOW DECISIONS ARE MADE**

### **The Executive:**

The Executive is the part of the Council which is responsible for most day to day decisions. The Executive is made up of a Leader who chooses between 2 (two) and 9 (nine) Councillors, not including the Leader, to form the Cabinet to share the leadership of the authority. When Key Decisions are to be discussed or made, these are published in the Executive's List of Forthcoming Key Decisions in so far as they can be anticipated. If these Key Decisions are to be considered at a meeting, this will generally be open for the public to attend except where personal or confidential matters are being discussed. The Executive has to make decisions which are in line with the Council's overall policies and budget. If the Executive 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.

### **Community Committees:**

In order to give local citizens a greater say in Council affairs, Community Committees have been established on the basis of representing inner and outer wedges of the City. The Executive may make arrangements for the discharge of functions for which the Executive is responsible by Community Committees. The Executive will identify a number of functions that Community Committees may exercise decision making on. However the Executive remains ultimately responsible for these services and may remove or limit a Committee's powers. As with the Executive, in exercising their powers Community Committees must make decisions which are in line with the Council's overall policies and budget. The Committees involve all the Councillors from the Wards within each Committee area and meetings are held in public.

### **Overview and Scrutiny:**

Scrutiny Boards support the work of the Executive and the Council as a whole. They allow citizens to have a greater say in Council matters by holding public inquiries into matters of local concern. These lead to reports and recommendations which advise the Executive and the Council as a whole on its policies, budget and service delivery. Scrutiny Boards also monitor the decisions of the Executive. Scrutiny Boards can "Call-In" a decision which has been made by the Executive but not yet implemented. This enables them to consider whether the decision is appropriate. They may recommend that the Executive reconsider the decision. They may also be consulted by the Executive, the Council or the Health and Wellbeing Board on forthcoming decisions and the development of policy.

## **The Health and Wellbeing Board**

This committee is appointed by full Council to carry out functions related to improving the health and wellbeing of the city's population. Some of its key functions are shared statutory duties with clinical commissioning groups. The Board may also carry out functions which are referred to it by the authority or the Executive.

## **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, as well as taking decisions if responsibility has been delegated to them. Some officers have a specific duty to ensure that the Council acts within the law and uses its resources wisely. A protocol governs the relationships between officers and Members of the Council.

## **Citizens' Rights:**

Citizens have a number of rights in their dealings with the Council. These are set out in more detail in Article 3. Some of these are legal rights, whilst others depend on the Council's own processes. The local Citizens' Advice Bureau and Law Centre 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 this 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 and its committees except where, for example, personal or confidential matters are being discussed;
- petition to request a referendum on a mayoral form of executive;
- submit deputations to full Council or to Community Committees;
- contribute to investigations by Scrutiny Boards where invited or by making representations;

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- find out, from the Executive's List of Forthcoming Key Decisions, what Key Decisions are to be considered , and when;
- attend meetings where Key Decisions are being discussed or decided;
- see reports and background papers, and any record of decisions made by the Council and Executive;
- complain to the Council if they feel:
  - (i) they have been discriminated against or treated unfairly;
  - (ii) staff have been rude or impolite;
  - (iii) there has been unreasonable delay in providing a service; or
  - (iv) the quality of service provided has been unsatisfactory.
- compliment the Council when they have been treated exceptionally well or speedily, which can help to spread good practice throughout the Council;
- complain to the Local Government Ombudsman<sup>1</sup> if they think the Council has not followed its procedures properly. However, they should only do this after using the Council's own complaints process;
- petition the Council;
- complain about breaches of the Members' Code of Conduct in accordance with the procedure set out in Part 5 of this constitution.
- inspect the Council's accounts and make their views known to the external auditor.

## **Participation by Citizens**

The Council welcomes participation by its citizens in its work. For further information on your rights as a citizen please contact the City Solicitor Leeds City Council, Civic Hall, Leeds, LS1 1UR.

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<sup>1</sup> Or, through a designated person, the Housing Ombudsman in relation to social housing matters