

# A BEGINNER'S GUIDE TO ... THE CONSTITUTION

## CONTENTS

## WHAT IT DOES ...

<b>Part 1 – Summary and Explanation</b>	This sets the scene for what the Constitution is, and how it operates. It contains brief notes about the constitution, the Executive, decision-making and challenge, what rights citizens have, and who the statutory officers are.
<b>Part 2 – Articles of the Constitution</b>	The 'regulatory' parts of the Constitution, summarised below.
Article 1      The Constitution	Establishes the primacy of the Constitution, and sets out its purpose.
Article 2      Members of the Council	Provides details of the composition of the Council, and the expected roles and duties of the Mayor and Councillors.
Article 3      Citizens and the Council	Sets out how Citizens of Middlesbrough can interact with the Council.
Article 4      The Full Council	Defines the roles and decisions which are reserved to full Council, and the types of meetings Council can have.
Article 5      Chairing the Council	Sets the parameters for the role of Chair of the Council.
Article 6      Overview and Scrutiny Committees	Defines the scope and work of OSB and Scrutiny Committees, and cross-references to Part 3 of the Constitution.
Article 7      The Executive	Defines the role of the Executive, its decision-making powers, and deals with appointments to, and removal from, the Executive.
Article 8      Policy and Regulatory and other Committees	Allows the Council to establish other committees.

Article 9	The Standards Committee	Defines the scope of the Standards Committee, and sets its composition and terms of reference.
Article 10	Joint Arrangements	Allows the Council to form joint arrangements with other local authorities or other bodies.
Article 11	Officers	Establishes the primacy of the Head of Paid Service in relation to officers, and defines the roles and responsibilities of the Monitoring Officer and the Chief Finance Officer.
Article 12	Decision Making	Sets the parameters for, and principles of, decision making in the Council, and provides guidance on types of decision to be recorded under Regulations.
Article 13	Finance, Contracts and Legal Matters	Establishes the basis for the Council's Standing Orders, and the execution of documents. <b>See also separate document: The Middlesbrough Borough Council Financial and Contract Procedure Rules (Standing Orders).</b>
Article 14	Review and Revision of the Constitution	Establishes the requirement for the Constitution to be regularly reviewed and revised.
Article 15	Suspension, Interpretation and Publication of the Constitution	Sets the limits for how articles of the Constitution may be suspended by Full Council, and establishes the primacy of the Chair in interpreting the Constitution.
Article 16	Other Committees of the Council	Provides details of the Corporate Affairs and Audit Committee. <b>Note: this may be extended to include details of other committees.</b>
Article 17	Financial Procedure Rules (Standing Orders)	Incorporates the <b>Middlesbrough Borough Council Financial and Contract Procedure Rules (Standing Orders)</b> as a part of the Constitution.
Article 18	Scheme of Delegation	Incorporates the <b>Middlesbrough Borough Council Scheme of Delegation</b> as a part of the Constitution.

Schedule 1 Description of Executive	Details those parts of the Constitution which form the Council's Executive arrangements.
Schedule 2 Executive Portfolios	Provides details of the Executive Portfolios, and the Executive Members.
<b>Part 3 – Rules of Procedure</b>	The 'procedural' parts of the Constitution, summarised below.
Council Procedure Rules	Establishes the rules for how meetings of Council and its committees will be run.
Access to Information Procedure Rules	Establishes the rules for the publication or withholding of information.
Budget and Policy Framework Procedure Rules	Establishes the rules for the annual budget-setting process, and for in-year changes to the budget.
Executive Procedure Rules	Establishes the rules for how meetings of the Executive and its committees will be run
Overview and Scrutiny Procedure Rules	Establishes the rules for how meetings of OSB and its panels will be run
Officer Employment Procedure Rules	Establishes the rules for the recruitment and dismissal of officers.
<b>Part 4 – Members' Allowances Scheme</b>	Provides details of the agreed basic and special responsibility allowances.
<b>Part 5 – Management Structure</b>	Provides the current Senior Management Structure.
<b>Part 6 – Codes and Protocols</b>	Provides details of how members and officers are expected to behave.

Members' Code of Conduct	Sets the standards for member conduct towards Citizens, Officers and Members.
Officers' Code of Conduct	Sets the standards for Officer conduct and neutrality, and limits on outside working.
Protocol for Members and Officers on Gifts and Hospitality	Provides guidance on the declaration of gifts received by Members and Officers.
Protocol on Member/Officer Relations	Provides guidance on the interaction between Members and Officers, and their respective roles.
Filming of Council Meetings	Provides guidance for those seeking to report on meetings.
<b>Part 7 – APPENDICES</b>	Associated documents.
Code of Corporate Governance	Determines the principles and procedures for appropriate corporate governance across Council actions and decision-making.
Monitoring Officer Protocol	Provides guidance on the role and responsibilities of the Monitoring Officer.
Statutory Officer Profiles	Provides further details on the role of various statutory officers, including the Head of Paid Service, the Monitoring Officer, the Chief Finance Officer, the Statutory Scrutiny Officer, and the Complaints Manager.
Proper Officer Functions	Defines the Proper Officer for specified functions.