

# **West Suffolk Council**

## **Summary and Explanation**

### **Introduction**

West Suffolk Council provides a wide range of services to residents and businesses within its area. It is divided into 43 areas known as wards and there are 64 councillors (also known as members) who are elected by residents of the wards to represent them on the Council. Elections to the Council take place every four years.

Councils have legal powers and duties. Duties are things the Council must do – such as collecting household waste, or housing homeless people. Powers are things the Council can do, if it wishes. The Council also has a General Power of Competence, which allows it do things that any ordinary person can do. Many of the Council's powers and duties have to be delivered in accordance with specific legal acts, regulations and government guidance.

### **Purpose of the Constitution**

The Constitution is a document that sets out the rules and guidance for how the Council makes decisions and carries out its business. It ensures that all Council activities are conducted in an open and transparent way, and are compliant with the laws and regulations the Council must comply with. The constitution is made up of:

- Articles – which explain the different parts of the decision-making structure and how the Council will operate;
- Responsibility for Functions – which shows which Councillors and Officers are responsible for which decisions;
- Rules of Procedure – which set out the way meetings will be run and the procedure for various Council functions; and
- Codes and Protocols – which guide how Councillors and Council staff should behave and act

The Council has to exercise its duties and powers in accordance with the law and this Constitution. Set out below is a brief summary of how the Council works.

### **Cabinet**

The Council's decision-making structure is based on the Leader and Cabinet model. The Cabinet will make most of the decisions about how the Council carries out its business. The Leader is elected every four years by a vote of all councillors who will appoint up to nine other councillors, one of whom will also be Deputy Leader, to sit in the Cabinet and be responsible for particular areas (known as portfolios) of the Council's work. The Cabinet will collectively set the strategic aims of the Council, and ensure that it is delivering key priorities and programmes.

The Council publishes a Decisions Plan which shows what decisions the Cabinet is going to take that will affect local communities or involve expenditure or savings over a certain level. These are known as key decisions. The Plan also shows what decisions are going to be taken in private and why. There is more detail of how the Cabinet works in Part 2: Article 6 and Part 4: Cabinet Procedure Rules.

## **Council**

Some decisions, such as the level of Council Tax or the local plan, have to be taken by all the councillors meeting together as the Council. These meetings take place at least five times a year. More information about the Council's powers and procedures can be found in Part 2: Article 4 and Part 4: Council Procedure Rules.

## **Regulatory and Standards Committees**

### *Regulatory Committees*

The law gives the Council power to grant consents, licences and so on for such matters as planning and licensing. These powers are known as regulatory decisions and are exercised by committees of the Council, or delegated to Council officers to make. What these committees are and what they do is set out in Part 2: Article 8 and Part 3: Responsibility for Council (Non Executive) Functions.

### *Standards Committee*

There is a Standards Committee which is responsible for upholding high ethical standards in West Suffolk, including monitoring compliance with the Code of Conduct by all district, town and parish councillors in the area. Further details can be found in Part 2: Article 8 and Part 3: Responsibility for Council (Non Executive) Functions.

## **Scrutiny**

The Council has two committees whose role is to oversee the work of the authority. Overview and Scrutiny Committee can 'call in' Cabinet decisions for examination and it will also help the Council develop its policies. It can set up smaller groups to work on reviews and projects that benefit West Suffolk communities, and has the power to hold outside organisations to account.

The Performance and Audit Scrutiny Committee has responsibility for monitoring the Council's performance. It makes recommendations for how the Council should spend its budget and assesses the adequacy and effectiveness of the Council's internal and external auditors.

Further details of the work of these Committees can be found in Part 2: Article 7 and Part 4: Scrutiny Committees Procedure Rules.

## **Staff**

The Council's employees are commonly referred to as 'officers'. They perform a number of different roles, ranging from delivering the Council's services direct to the public, to giving professional advice, implementing decisions and managing the working of the Council. Some Officers have specific duties to ensure that the Council acts within the law. Officers operate in a politically neutral way. A protocol governs the relationship between Councillors and Officers. Officers do not vote on decisions made by the Council, Cabinet or its Committees.

## **The public's rights**

Residents of the Council's area have a number of rights in their dealings with the Council. Some are set out in law, others depend on the Council's own processes. Article 3 sets them out in more detail, but in brief they include:

- the right to elect the Councillors who will represent them on the Council, and to contact any Member of the Council about matters that concern them;
- access to Council documents such as this Constitution, policies, the Decisions Plan, reports, minutes and records of decisions made (subject to limited exceptions for things that the law permits the Council to treat as confidential);
- the right to attend open meetings of the Council, Cabinet and Committees and to speak at those where the Council's procedures allow public participation; and
- making their views known to the Council, whether as a comment, complaint or compliment or in response to a consultation.

The Council welcomes participation by the public in its work and aims to make its processes as transparent as possible. For further information on your rights, please contact the Council's Monitoring Officer on e-mail: [democratic.services@westsuffolk.gov.uk](mailto:democratic.services@westsuffolk.gov.uk) or telephone: 01284 757162.