

Contact: Karen Strahan 01392  
382264  
karen.strahan@devon.gov.uk

## **CONSTITUTION**

### **1 PART 1 - SUMMARY AND EXPLANATION (PAGES 1 - 4)**

The Constitution is the Council's Code of Corporate Governance 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 prescribed by the law, others are matters for the Council's discretion or have evolved in light of experience.

### **2 PART 2 - ARTICLES OF THE CONSTITUTION (PAGES 5 - 28)**

Articles 1 - 16 and Schedule 1 (Description of Executive Arrangements).

Article 1	The Constitution
Article 2	Members of the Council
Article 3	The People of Devon and the Council
Article 4	The Council
Article 5	Chairing the Council
Article 6	The Cabinet
Article 7	Overview and Scrutiny Committees
Article 8	Regulatory and other Committees
Article 9	The Standards Committee
Article 10	Area Committees and Forums
Article 11	Joint Arrangements
Article 12	Officers
Article 13	Decision Making
Article 14	Finance, Contracts and Legal Matters
Article 15	Review and Revision of the Constitution
Article 16	Suspension, Interpretation and Publication of the
Constitution	
Schedule 1	Description of Executive Arrangements

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### **PART 3 - RESPONSIBILITY FOR FUNCTIONS**

Responsibility for Functions including Terms of Reference and Scheme of Delegation.

- a Introduction and Explanatory Note (Pages 29 - 30)
- b Responsibility for Functions - Terms of Reference (Pages 31 - 44)
- c Scheme of Delegation (Pages 45 - 48)
- d Appeals and Planning and Infrastructure Projects (Pages 49 - 50)
- e Schedule of Delegated Powers (Pages 51 - 66)
- f Locality Budget Operating Principles (Pages 67 - 68)

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### **PART 4 - RULES OF PROCEDURE FOR MEETINGS OF THE COUNCIL, CABINET AND COMMITTEES**

Rules of Procedure for Meetings of the Council, Cabinet and Committees, including Public Participation, Petitions, Protocols for Development Management, Farms Estate and Scrutiny Procedure Rules.

- a Standing Orders (Pages 69 - 88)
- b Budget and Policy Framework (Pages 89 - 92)
- c Cabinet Procedures Rules (Pages 93 - 100)
- d Scrutiny Procedures Rules (Pages 101 - 118)
- e Access to Information Procedure Rules (Pages 119 - 124)
- f Public Participation at Meetings (Pages 125 - 128)
- g Petition Scheme (Pages 129 - 132)
- h Development Management Protocol (Pages 133 - 138)
- i Farms Estate Protocol (Pages 139 - 140)

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## **PART 5 - CODE OF BUSINESS CONDUCT**

The collective term for various Council regulations and provisions including Procurement Policy, Financial Regulations, Contract Procedure Rules, Electronic Transactions, Surplus Property, Insurance and the Whistleblowing Policy.

- a How Elements of the Code are Arranged (Pages 141 - 142)
- b Procurement Policy (Pages 143 - 150)
- c Financial Regulations (Pages 151 - 190)
- d Contracts Procedure Rules (Pages 191 - 192)
- e Procedures for Tenders and Contracts (Pages 193 - 204)
- f Code of Practice for Electronic Transactions (Pages 205 - 208)
- g Code of Practice for Disposal of Surplus Property (Pages 209 - 212)
- h Indemnity and Insurance for Members and Officers (Pages 213 - 216)
- i A 'Whistleblowing' Policy (Pages 217 - 222)
- j Good Practice Guide on Proper Conduct of Business (Pages 223 - 226)

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## **PART 6 - CODE OF PERSONAL CONDUCT**

Code of Business Conduct, including Members and Officers Code of Conduct, Job Profiles for Elected Members, Protocol on Member / Officer Relationships, Pay Policy Statement and Chief Officer Employment Rules.

- a Members' Code of Conduct (Pages 227 - 232)
- b Councillors Safeguarding Note and DBS Checks (Pages 233 - 236)
- c Sexual Harassment – Acceptable Conduct & Guidance Note (Pages 237 - 240)
- d Conflicts of Interest Guidance (Pages 241 - 244)

- e Guidance on Dispensations (Pages 245 - 250)
- f Job Profiles for Elected Members (Pages 251 - 252)
- g Officers' Code of Conduct (Pages 253 - 254)
- h Protocol on Member / Officer Relations (Pages 255 - 260)
- i Pay Policy Statement (Pages 261 - 266)
- j Chief Officer Employment Procedures Rules (Pages 267 - 270)

7 **PART 7 - MEMBERS ALLOWANCES SCHEME (PAGES 271 - 280)**

This document sets out the full range of allowances payable to members of the County Council in line with the Local Authorities (Members' Allowances) Regulations 1991, as amended.

- a Members Allowances - Maternity, Paternity, Shared Parental and Adoption Leave (Pages 281 - 282)

8 **PART 8 - MANAGEMENT STRUCTURE (PAGES 283 - 284)**

This outlines the Senior Management Structure of the Council.

9 **PART 9 - JOINT ARRANGEMENTS (PAGES 285 - 288)**

Joint Arrangements made by the Council with other Local Authorities under S101 of the Local Government Act 1972.

10 **PART 10 - WORKING PRACTICES (PAGES 289 - 298)**

The Council's procedures are governed by its Constitution. This is supplemented by the approved Working Practices explained below which affect the operation of the Committee process or impact upon individual members. These Working Practices do not form part of the Constitution but are reproduced here for convenient reference.

11 **PART 11 - FRAMEWORK OF CORPORATE GUIDANCE (PAGES 299 - 300)**

The Council's Framework of Corporate Guidance also includes other Devon County Council Strategies, Plans etc, which are listed in this part.