

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 - 32)
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

- 3 **Part 3 - Responsibility for Functions**
Responsibility for Functions including Terms of Reference and Scheme of Delegation.
 - a **Introduction and Explanatory Note** (Pages 33 - 34)

 - b **Responsibility for Functions - Terms of Reference** (Pages 35 - 52)

- c Scheme of Delegation (Pages 53 - 56)
- d Appeals and Planning and Infrastructure Projects (Pages 57 - 58)
- e Schedule of Delegated Powers (Pages 59 - 80)
- f Locality Budget Operating Principles (Pages 81 - 82)

4 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 83 - 108)
- b Budget and Policy Framework (Pages 109 - 114)
- c Cabinet Procedures Rules (Pages 115 - 126)
- d Scrutiny Procedures Rules (Pages 127 - 148)
- e Access to Information Procedure Rules (Pages 149 - 156)
- f Public Participation at Meetings (Pages 157 - 162)
- g Petition Scheme (Pages 163 - 166)
- h Development Management Protocol (Pages 167 - 176)
- i Farms Estate Protocol (Pages 177 - 180)

5 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 181 - 182)
- b Procurement Policy (Pages 183 - 190)
- c Financial Regulations (Pages 191 - 240)

- d Contracts Procedure Rules (Pages 241 - 244)
- e Procedures for Tenders and Contracts (Pages 245 - 258)
- f Code of Practice for Electronic Transactions (Pages 259 - 264)
- g Code of Practice for Disposal of Surplus Property (Pages 265 - 270)
- h Indemnity and Insurance for Members and Officers (Pages 271 - 276)
- i A 'Whistleblowing' Policy (Pages 277 - 284)
- j Good Practice Guide on Proper Conduct of Business (Pages 285 - 290)

6 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 291 - 298)
- b Councillors Safeguarding Note and DBS Checks (Pages 299 - 304)
- c Sexual Harassment – Acceptable Conduct & Guidance Note (Pages 305 - 308)
- d Conflicts of Interest Guidance (Pages 309 - 314)
- e Guidance on Dispensations (Pages 315 - 324)
- f Job Profiles for Elected Members (Pages 325 - 328)
- g Officers' Code of Conduct (Pages 329 - 330)
- h Protocol on Member / Officer Relations (Pages 331 - 338)
- i Pay Policy Statement (Pages 339 - 342)
- j Chief Officer Employment Procedures Rules (Pages 343 - 348)

- 7 Part 7 - Members Allowances Scheme (Pages 349 - 362)
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 363 - 366)
- 8 Part 8 - Management Structure (Pages 367 - 370)
This outlines the Senior Management Structure of the Council.
- 9 Part 9 - Joint Arrangements (Pages 371 - 376)
Joint Arrangements made by the Council with other Local Authorities under S101 of the Local Government Act 1972.
- 10 Part 10 - Working Practices (Pages 377 - 388)
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 389 - 390)
The Council's Framework of Corporate Guidance also includes other Devon County Council Strategies, Plans etc, which are listed in this part.