

PART 1

SUMMARY

AND

EXPLANATION

# **PART 1 - SUMMARY AND EXPLANATION**

## **1. The Council's Constitution**

The London Borough of Islington 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. The law requires some of these processes, while others are a matter for the Council to choose.

The Constitution is divided into 15 Articles which set out the basic rules governing the Council's business.

## **2. What is in the Constitution**

Article 1 of the Constitution commits the Council to clear, transparent and accountable decision-making, which is inclusive and provides opportunities for community involvement whilst ensuring effective and efficient use of resources. Article 2 explains the role of members and Article 3 explains the rights of residents in relation to the Constitution. Articles 4–15 explain how the key parts of the Council operate. More detailed procedures and codes of practice are contained in separate rules and protocols at the end of the document.

## **3. How the Council operates**

The Council is composed of 48 councillors elected every four years. Councillors are democratically accountable to residents of their ward. The overriding 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.

Councillors have to agree to follow a code of conduct to ensure high standards in the way they undertake their duties. The Monitoring Officer is responsible for overseeing training and advising members on the code of conduct and for receiving complaints that a councillor has breached the code. The Monitoring Officer deals with less serious complaints and refers more serious ones to the Standards Committee, consulting with an Independent Person as appropriate,

All councillors meet together as the Council. Meetings of the Council are normally open to the public unless matters are discussed which must be kept confidential. Here councillors decide the Council's overall policies and set the budget each year. The Council appoints the Leader and the Leader appoints members of the Executive.

## **4. How decisions are made**

The Executive is the part of the Council, which is responsible for most day-to-day decisions. The Executive is made up of the Leader and a number of Executive members. All key decisions to be made by the Executive will be published in the Executive's Forward Plan in so far as they can be anticipated. Decision making meetings of the Executive will generally be open for the public to attend except where personal or exempt matters are being discussed. The Executive has to make decisions which are in line with the Council's

overall policies and budget. If it wishes to make a decision which is not in line with the budget or policy framework, this must be referred to the Council as a whole to decide.

## 5. Overview and Scrutiny

The Policy and Performance Scrutiny committee has three roles. Firstly, to support the work of the Executive and the Council as a whole by considering and making recommendations on policy. Secondly, it is the main body responsible for scrutinising decisions made by the Executive and for holding it to account. It has the power to consider decisions made by the Executive but not yet implemented and can ask the Executive to reconsider those decisions or, if it considers that a decision may be contrary to the Policy Framework and/or contrary to or not wholly in accordance with the Budget, it may refer the matter on to full Council.

In addition, there will be four other scrutiny committees, each responsible for reviewing and making proposals on the following areas of the Council's work:

- Environment and Regeneration;
- Housing;
- Children's Services;
- Health and Care.

## 6. Other committees

There are also the following committees dealing with the matters shown:

Audit	personnel, audit, accounts, pensions, matters relating to members conduct matters;
Licensing	all matters under the Licensing Act 2003 and Gambling Act 2005;
Licensing Regulatory	all non-Licensing Act 2003 functions;
Standards	matters relating to the code of member conduct;
Planning	planning matters;
Voluntary and Community Sector Committee	a committee of the Executive which allocates support to the voluntary and community sector.
Health and Wellbeing Board	a committee responsible for promoting an integrated approach by health and social services for advancing the health and wellbeing of local residents.

## 7. 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. Some officers have a specific duty to ensure that the Council acts within the law and uses its resources wisely.

## **8. Involving the public**

Islington residents\* 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. 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.

The Council welcomes participation by residents in its work. People's rights to access to meetings and papers are set out in the Access to Information Procedure Rules contained in Part 4.

\*For the purposes of this constitution, the term residents includes (where appropriate) those people who study, work or have businesses in the borough or who receive services for which the Council is responsible.

# DECISION MAKING STRUCTURE CHART



