

Part One - Introduction to the Council Constitution

1) What is the Constitution

The purpose of the Constitution is to set out how the Council operates, how decisions are made and the procedures that are followed to ensure that decisions are taken efficiently and transparently, and that those who make the decisions are accountable to local people. Some of these procedures are legal requirements while others are how the Council has chosen to conduct its business.

This part of the Constitution is a guide to the basic principles of how the Council works and what decisions can be made and by whom. It is a summary and does not seek to be comprehensive. You will need to look at separate parts of the Constitution for full details of decision-making procedures.

The City Mayor, all elected members and officers of Leicester City Council are governed by this Constitution.

2) How the Council works

The Council is led by a City Mayor elected directly by the people of Leicester for a fixed four year term.

The City Mayor, Mayoral Team and the Executive

The City Mayor appoints a Deputy City Mayor and between one and eight Assistant City Mayors from the 54 Councillors, to work with him. Together they are described in this Constitution as the Executive. Individual job descriptions set out the roles and responsibilities of the City Mayor, Deputy City Mayor and Assistant City Mayors. These job descriptions are published on the City Mayor's Internet pages.

Full Council

Full Council comprises all 54 Councillors elected every 4 years who represent the 22 wards of the City. The overriding duty of Councillors is to the whole community but they have a special responsibility to the constituents of their ward.

All Councillors and the City Mayor meet together as the Full Council. These meetings are open to the public and the press and are also broadcast live on the Council's webcast facility [\[link\]](#). Sometimes the Council considers personal or confidential matters and it can choose to do so in private if appropriate.

The Full Council sets the broad Policy and Budget Framework within which the Council including the City Mayor and his Executive operates. The Full Council is chaired by the Right Worshipful the Lord Mayor of Leicester. This role is a

ceremonial and civic one. The Lord Mayor is a Councillor and is chosen and appointed for a one year term by the Full Council at its annual Council meeting in May.

Conduct and Behaviour

The City Mayor and the 54 Councillors have agreed to follow a Code of Conduct to ensure high standards in the way they undertake their duties. The Council has a Standards Committee which advises and oversees compliance with the Code of Conduct, and enforces it where necessary. This code of conduct is included in Part 5 of this constitution.

3) How decisions are made

Decisions are taken either by Full Council, the City Mayor, members of the Executive (either individually or collectively with the City Mayor), committees, or officers, according to rules set out in this Constitution.

The City Mayor is personally responsible for taking major decisions about many aspects of what the Council does. He can either, take these decisions himself, delegate these to other Councillors on the Executive or to officers, or take them collectively with Executive colleagues.

Certain business considered by the Executive is defined as a 'Key Decision'. These key decisions are included on the Forward Plan [\[link\]](#) which is a document that is published every month with details of the decisions to be taken over the next four months. The Constitution sets out a specific definition of what are key decisions. In summary these are decisions where the Council will incur significant expenditure/savings or which have a significant impact on communities in two or more wards in the City.

Some decisions, due to legislation, or as a matter of local choice, can only be taken by Full Council. In some cases Full Council can delegate these decisions to committees of Councillors or specified officers. Examples of specific areas which by law cannot be the responsibility of the City Mayor and Executive include:

- Adopting and changing this Constitution.
- Adopting an allowance scheme for Councillors.
- Setting the Council's budget including the level of Council Tax.
- Decisions relating to individual planning applications and enforcement of planning rules.
- Decisions relating to licensing and individual licensing applications.
- Decisions relating to the management and conduct of Elections.
- Specific plans and strategies within the Council's Policy Framework including the Local Transport Plan and the Local Development Plan.
- Decisions relating to the appointment and terms and conditions of Council staff.

Parts 2 and 3 of this Constitution provide further details on specific roles and responsibilities.

4) How the Council is scrutinised

Councillors who are not on the Executive are responsible for keeping an overview of Council business including scrutinising areas of particular interest or concern, holding the Executive to account for the decisions that are made, and assisting in the development and review of Council policy. This role is undertaken by Scrutiny Committees/Commissions. The Council has appointed one Overview Select Committee and seven Scrutiny Commissions to carry out the scrutiny function.

The Scrutiny Committee/Commissions have the right to scrutinise decisions as they are being formulated, after they have been taken and can ask for decisions to be reconsidered. This is known as “Call-In” and requires the Executive to consider further comments raised by a scrutiny committee or full Council before they are implemented. There is a Scrutiny Handbook that sets out in more detail the work of the scrutiny function [\[link\]](#).

5) Council Staff

The Council employs officers to give professional advice to the Executive and Councillors, to implement decisions taken and to manage the day to delivery of services. The Head of Paid Service (Chief Operating Officer) is a statutory role that every Council must have. This person has responsibility for managing all Council staff and decides how the City Mayor, Executive and Councillors should be supported by staff. There are other statutory posts including, the Chief Officer responsible for Children’s Services (Strategic Director Education and Children’s Services), someone responsible for the Council’s Adult Social Services functions (Strategic Director Adult Social Care, Health and Housing), someone to ensure the Council makes financially proper decisions (Director of Finance) and someone who ensures the Council acts within the law (City Barrister and Head of Standards).

6) Citizens’ Rights

Citizens of Leicester have a number of rights in dealings with the City Mayor, Executive and the Council.

In the first instance the City Mayor is accountable to the people of Leicester since they elected him directly. The City Mayor has a website which details the different ways in which citizens can contact her/him

A list of some of the other rights that citizens have is set out below which is in addition to any rights for example as a parent of a school or a tenant of the Council which are beyond the scope of this Constitution.

Citizens have the right to:

- Register and vote at elections

- Contact their local Councillor about issues of concern within their ward
- View the Constitution which is available on the Council website
- Attend Council, Scrutiny or other public meetings
- Attend Ward Community Meetings within their area to hear from and speak to their local Councillors and to seek local funding
- View the Forward Plan to see future decisions
- View the agenda and papers for forthcoming meetings on the Council's website
- Use the Council's complaints procedure if they are dissatisfied with a service after which if still dissatisfied they can complain to the Local Government Ombudsman
- Contact the Monitoring Officer if they have a concern about the conduct of a Councillor under the Code of Conduct
- Inspect the Council's Accounts and make their views known to the External Auditor

7) Structure of the Constitution

The Constitution is split into 'Parts' to help readers find relevant information. This introduction is Part 1.

Part 2 of the Constitution sets out Articles 1 – 16 which describe the basic rules governing the Council's business.

Part 3 describes how functions and responsibilities are allocating between the Full Council, City Mayor and Executive.

Parts 1 to 3 form the Core Constitution of Leicester City Council.

The Core Constitution is supported by further procedural guidance, Codes of Conduct and other supporting information as set out in parts 4 to 7:

Part 4 - Procedure Rules

Part 5 - Political Conventions and Codes of Conduct

Part 6 - Members' Allowances Scheme

Part 7 - Management Structure which can be accessed on the Council's website