

## Summary and Explanation

### The Council's Constitution

The Sheffield Metropolitan District Council (known as The Sheffield City Council) has agreed a Constitution that sets out how the Council operates, how decisions are made and the procedures that are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by law, whilst others are a matter for the Council to choose.

The Constitution contains 17 Articles in Part 2, which set out the basic rules governing the Council's business. More detailed procedures and codes of practice are provided in separate rules and protocols contained within the other parts of this Constitution.

### What is in the Constitution

Article 1 of the Constitution commits the Council to be amongst the best performing Councils, providing the best quality services in the Country.

Articles 2 to 17 explain the rights of citizens and how the key parts of the Council operate. These are:

- Members of the Council (Article 2).
- Citizens and the Council (Article 3).
- The Full Council (Article 4).
- Chairing the Council (Article 5).
- The Leader, Deputy Leader and Group Leaders (Article 6).
- Policy Committees (Article 7).
- Regulatory and Other Council Committees (Article 8).
- The Audit and Standards Committee (Article 9).
- Health and Wellbeing Board (Article 10).
- Area Committees (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 (Article 17).

Part 3 of the Constitution sets out who is responsible for making what decisions, including remits of Committees and arrangements for delegation to officers.

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Part 4 of the Constitution details the framework for the administrative and procedural conduct of the Council and its committees, including Council Procedure Rules for meetings, Contracts Standing Orders, Access to Information Procedure Rules, Budget & Policy Framework Procedure Rules, Financial Regulations, Officer Employment Procedure Rules and Area Committee Procedure Rules.

Part 5 comprises a number of codes and protocols which councillors and employees of the Council should comply with, including Codes of Conduct for Members and Officers, Protocols for Member/Officer Relations and Sharing the Committee Chair role, and some guidance on the Council's practices.

Part 6 is the current Members' Allowances Scheme.

Part 7 is the Council's Statutory and Proper Officers and Management Structure.

### **How the Council Operates**

The Council is composed of 84 Councillors with one-third elected three years in four. Councillors are democratically accountable to the 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 must agree to follow a Code of Conduct to ensure high standards in the way they undertake their duties. The Audit and Standards Committee ensures that Councillors have access to training and advice on the Code of Conduct.

Councillors have no individual powers. Councillors influence and make decisions corporately through Council and committee meetings. All Councillors meet together as the Full Council. Here Councillors decide the Council's overall policies, set the budget each year and set the Council's major plans, policies and strategies. The statutory and other responsibilities reserved to the Council are set out in Part 3, subject to any amendment necessary to comply with legal requirements. Meetings of the Council are normally open to the public.

At the Annual Council Meeting, usually in May, Full Council elects a Lord Mayor and a Deputy Lord Mayor. During his or her period of office, the Lord Mayor is the first citizen of the City and chairs meetings of the Full Council.

At the Annual Meeting Full Council also appoints the Leader and Deputy Leader, the Chairs and Deputy Chairs of Committees (as set out in Part 3) and the Councillors to serve on those Committees. Appointments to all committees, except Area Committees, comply with the requirements of political proportionality set out in the Local Government and Housing Act 1989.

Full Council also appoints representatives to serve on joint bodies and external organisations.

The Council is responsible for functions as provided by statute and also has a general power of competence. The Council arranges for its functions to be carried out through its committee system and by delegated responsibilities to its senior officers. All committees are subordinate to the Full Council and dependent on it, through this Constitution and the policies and decisions agreed by it, for the delegation of powers and duties.

### **How Decisions Are Made**

The Council has set up procedures to ensure that its functions are carried out effectively and efficiently in accordance with the principles of good administration.

Eight Policy Committees are responsible for most of the Council's functions. Their full terms of reference are set out in Part 3 of this Constitution. These committees meet on a planned basis in public (except where personal, exempt or confidential matters are being discussed – see Access to Information Procedure Rules in Part 4) to take operational, policy and strategic decisions within their remit, other than those reserved to Full Council or delegated to other committees or senior officers.

Strategy and Resources Policy Committee is made up of the Leader, the Chairs of each of the Council's other Policy Committees, the Chair of the Finance Sub-Committee, and such other Members as are necessary for political proportionality. There are procedures so that controversial decisions that would normally be made by another Policy Committee may be referred to Strategy and Resources Policy Committee or Full Council to determine.

Other Committees with decision making powers include the Planning and Highways Committee, the Statutory and Regulatory Licensing Committees, and the other committees whose terms of reference are set out in Part 3 of this Constitution.

The Health and Wellbeing Board is a Committee of the Council whose members include Councillors, officers of the Council and representatives from local health and other organisations. It is a statutory forum required for discussing shared health and wellbeing issues and concerns.

### **Access to Information Requirements**

Meetings of Full Council and its Committees are subject to the Access to Information Procedure Rules in Part 4 of the Constitution. The rights of citizens to inspect agendas and reports and attend meetings are set out in more detail in these Rules.

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Working groups and task and finish groups do not meet in public session and are not subject to these Rules.

### **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. A Protocol in Part 5 of the Constitution governs the relationships between Officers and Members of the Council.

### **Citizens' Rights**

Citizens 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. The local Citizens' Advice Bureau can advise on individuals' legal rights.

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 its citizens in its work. For further information on your rights as a citizen, please contact the First Point Reception at Howden House, Union Street, Sheffield or by e-mailing [firstpoint@sheffield.gov.uk](mailto:firstpoint@sheffield.gov.uk). The Reception service is open during normal working hours.