

1A Summary and Explanation

Table of Contents

The Council's Constitution	2
1. How the Council operates	2
2. How Decisions are made	2
3. Citizen's Rights	3

The Council's Constitution

Hounslow Council operates under a set of rules that govern and guide the decisions made by the Council and its officers to ensure that these are efficient, transparent and accountable to local people. These documents form the Council's Constitution.

Section 37 of the Local Government Act 2000 (Constitutions) (England) Direction 2000 sets out what documents the constitution must include, comprising of procedural rules, governance documents, and standing orders for formal meetings of the Council and its committees, and sub-committees, including the Executive and the Overview and Scrutiny Committee. Links to all of these documents with a brief explanation can be found in the Annex to this document.

1. How the Council operates

The Council is composed of 62 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 Audit and Governance Committee (incorporating the Standards Committee) oversees this process and training on the code of conduct is provided.

All Councillors meet together as the Council. Meetings of the Council are normally open to the public. Here Councillors decide the Council's overall strategic policies and set the budget each year. These meetings provide an opportunity for all Councillors to challenge how these policies are implemented by the Executive – which is the principal body responsible for delivery of services. Detailed scrutiny of policy, budget and service delivery takes place in Overview and Scrutiny Committees and at Area Forums. The work of these bodies is described below.

The form of Executive operated by the Council is the Leader and Executive Model and follows what it legally termed as the strong leader model. The Leader who remains a Councillor after election to the post appointed by the full body of the Council. As the Council is subject to whole elections and the Leader and Executive Model is in operation the Leader is elected at the post-election annual general meeting.

The Deputy Leader is appointed by the Leader without reference to the full Council. The Leader appoints the Executive without reference to the full Council and determines the size of the Executive (of not less than 2 and more than 9 Members) without reference to the full Council. A list of the current Executive Members and their portfolios can be found here.

2. How Decisions are made

2.1 Executive Arrangements

The Executive is the part of the Council which is responsible for most significant service decisions. Many day-to-day decisions are delegated to officers to decide. The Executive is made up of the Leader of the Council, the Deputy Leader and up to eight other Councillors, appointed by the Leader. The Leader decides on the size of the Executive and appoints Executive Members. When major decisions are to be discussed or made, these are published

in the Executive's forward plan in so far as they can be anticipated. If these major decisions are to be discussed with Council officers at a meeting of the Executive, this will generally be open for the public to attend except where personal or confidential 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 outside the budget or policy framework, this must be referred to the Council as a whole to decide.

2.2 Overview and Scrutiny

There is one principal Overview and Scrutiny Committee which supports the work of the Executive and the Council as a whole. This Committee has a number of sub-committees or Panels which examine particular aspects of the Council's work. They allow citizens to have a greater say in Council matters by holding inquiries into matters of local concern. These lead to reports and recommendations which advise the Executive and the Council as a whole on its policies, budget and service delivery. Overview and scrutiny committees also monitor the decisions of the Executive. They can 'call-in' a decision which has been made by the Executive but not yet implemented. This enables them to consider whether the decision is appropriate. They may recommend that the Executive reconsider the decision. They may also be consulted by the Executive or the Council on forthcoming decisions and the development of policy.

2.3 Area Forums

In addition, in order to give local citizens a greater say in Council affairs, five forums have been created. These cover the geographic areas of (1) Bedfont, Feltham, Hanworth ; (2) Central Hounslow; (3) Chiswick; (4) Heston and Cranford; and (5) Isleworth and Brentford; and are responsible for monitoring local service provision. They also have responsibility for local highways and related matters; and for other local decisions that may be delegated by the Executive. They involve Councillors for each particular area and meetings are held in public.

2.4 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.

3. Citizen's Rights

Citizens have a number of rights in their dealings with the Council. Some of these are legal rights, whilst others depend on the Council's own processes. The local Citizens' Advice Bureau, Law Centre or other advice agencies 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.

Citizens have the right to:

- (a) Vote at local elections if they are registered
- (b) Contact their local Councillor about any matters of concern to them
- (c) Obtain a copy of the Constitution

- (d) Complain to the Council about matters affecting them: details of how to complain are contained in a leaflet available from Council departments or the Customer Complaints Officer; or to the Council's Stage 3 Panel
- (e) Attend meetings of the Council and its committees except where, for example, personal or confidential matters are being discussed
- (f) Petition to request a referendum on a mayoral form of executive
- (g) Participate in Area Forums' public sessions and contribute to investigations by the overview and scrutiny committees
- (h) Find out, from the Executive's forward plan, what major decisions are to be discussed by the Executive or decided by the Executive or officers, and when
- (i) Attend meetings of the Executive including where key decisions are being discussed or decided
- (j) See reports and background papers, and any record of decisions made by the Council and Executive
- (k) Complain to the Ombudsman if they think the Council has not followed its procedures properly. However, they should only do this after using the Council's own complaints process
- (l) Complain to the Council's Audit and Governance Committee (incorporating the Standards Committee) Audit if they have evidence which they think shows that a Councillor has not followed the Council's Code of Conduct
- (m) Inspect the Council's accounts and make their views known to the external auditor