



CONSTITUTION OF THE COUNCIL OF THE LONDON BOROUGH OF HARROW

***The Summary and Explanation of the Constitution is also available
as a separate leaflet for members of the public and is available at reception
desks in the Civic Centre and at Public Libraries***

The Constitution has been prepared by officers in the Legal Services Department.
Regular updates and replacement pages will be issued.
Any comments on how the layout and contents can be improved should be sent to
the Head of Paid Service.

Please note:

The Constitution came into effect in May 2002, having been approved by the Council in February 2002.

The Council has made a number of changes to the Constitution since it was first approved. Minor corrections and amendments have also been made under the procedure of revising the Constitution in Article 15.05.

This document is available on the Harrow web-site at www.harrow.gov.uk.

PART 1

Summary and Explanation

PART I

SUMMARY AND EXPLANATION

The Council's Constitution

The Council of the London Borough of Harrow 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. Some of these processes are required by law, while others are a matter for the Council to decide.

The Constitution is divided into sixteen articles, which set out the basic rules governing the Council's business. More detailed procedures, codes of practice and protocols are provided in later sections of the Constitution.

What's in the Constitution?

Article 1 commits the Council:

***To deliver high quality, cost effective services through a partnership with all stakeholders and the community in general.
To govern within a framework of fairness, openness, integrity and accountability.***

Article 3 explains the rights of citizens in relation to the Constitution. Article 2 and 4 to 16 describe how the key parts of the Council operate. These are:

- ❑ Members and the Council (Article 2).
- ❑ The full Council (Article 4).
- ❑ The Mayor (Article 5).
- ❑ Overview and Scrutiny Committee and Scrutiny sub-committees (Article 6).
- ❑ The Executive (Article 7).
- ❑ Regulatory and other Committees (Article 8).
- ❑ The Standards Committee (Article 9).
- ❑ Area Forums or Area Committees (Article 10).
- ❑ Joint arrangements (Article 11).
- ❑ Officers (Article 12).
- ❑ Decision making (Article 13).
- ❑ Finance, contracts and legal matters (Article 14).
- ❑ Review, revision and publication of the Constitution (Article 15).
- ❑ Interpretation and suspension of the Constitution (Article 16)

How the Council operates

The Council is composed of 63 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 that 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 Standards Committee trains and advises them on the Code of Conduct.

All councillors meet together as the Council. Meetings of the Council are normally open to the public. Here councillors decide the Council's overall policies and set the budget each year.

The Council appoints the Overview and Scrutiny Committee, which has the role of checking the actions of the Executive in delivering services and helping the Executive to develop plans and policies. The Council is also responsible for the appointment of chief officers.

Members of the public can present petitions and ask questions at meetings of the Council.

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 between two and nine other councillors appointed by the Council, this group is also known as the Cabinet.

When major decisions are to be discussed or made, they must be published in the Council's Forward Plan in so far as they can be anticipated. This Forward Plan will be regularly updated and is available to the public so they can monitor all the important decisions made by the Executive. When these major decisions are to be discussed at a meeting of the Executive (or Cabinet), these meetings will be open to the public to attend, except where personal or confidential matters are to be 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 (unless the matter is so urgent that special arrangements have to apply).

Overview and scrutiny

The Council has an Overview and Scrutiny Committee, which in turn appoints Scrutiny sub-committees, which support the work of the Executive and the Council as a whole.

The Overview and Scrutiny Committee and Scrutiny sub-committees play a role in the formulation of the policies and strategies of the Council and in the setting of the budget. They can be consulted by the Executive or the Council on forthcoming decisions and the development of policy. They can hold inquiries and public debates, which can lead to reports influencing the Executive.

They can also monitor the decisions of the Executive and have a power to “call-in” decisions of the Executive where they have yet to be implemented. When an Executive decision is “called-in” the Executive can be asked to reconsider its decision. However, the Overview and Scrutiny Committee cannot overrule the Executive.

Other Committees

There is also a Planning Committee, a Licensing and General Purposes Committee, a Health and Wellbeing Board, a Governance, Audit and Risk Management Committee, a Pension Fund Committee and a Standards Committee. More detail about the operation of these Committees can be found in Articles 8 and 9.

The Harrow Partnership Initiative

The Council has adopted a comprehensive approach to consultation by encouraging community participation in decision-making. The Council consults with stakeholders, residents and service users on a range of activities.

The Partnership Initiative enables the involvement of a wide number of stakeholders from across sectors, in the planning of services and policy development, including the shaping of the Community Plan.

A Residents Panel consisting of over 1200 local people represents the Borough’s diverse community. The Panel helps to provide the Council with a clear picture of the effectiveness of local services.

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 services. Some officers have a specific duty to ensure that the Council acts within the law and uses its resources wisely. A Protocol included in Part 5 of the Constitution governs the relationship between officers and Members of the Council (Councillors).

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.

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 rights are not covered specifically in the Constitution. The local Citizens Advice Bureau can advise on individuals' legal rights.

The Council welcomes participation by citizens in its work.

For further information on how to attend and participate at meetings, a leaflet is available at the Civic Centre Reception or from libraries. Information is also available from the Reception Office for the Legal Services Department telephone 020 8424 1277, e-mail linda.bradford@Harrow.gov.uk or from the Authority's web site at: www.harrow.gov.uk

For further information on the Partnership Initiative, or if you would like to join the Harrow Residents Panel, please contact Mike Howes on 020 8420 9637 or e-mail Mike.Howes@harrow.gov.uk

* For the purposes of this Constitution, the term Citizens includes (where appropriate) those people who study, work or have businesses in Harrow.