**Constitution**

**Article Two: How the Council Works**

* 1. This Article is a guide to the basic principles of how the Council works, what decisions can be made, and by whom. It is an overview and does not try to be comprehensive. You will need to look at the other Articles of the Constitution for full details of decision-making procedures.
  2. **The Role of Nottingham City Council**

Nottingham City Council is a unitary authority, meaning it is responsible for all Council functions within the City of Nottingham. The Council provides a range of essential services to the public and businesses, including well known functions such as social care, waste collection, public health and highways services and less well known services including licensing, registrar services and pest control. The Council is required by law to provide many of these functions and can choose to provide others. Decisions to undertake activities will be taken in accordance with decision making procedures. The Council also has wide reaching powers to support the wellbeing of the city. It leads and shapes the city, often working closely with partner organisations and consulting with citizens, to support our people and enable our city to thrive.

* 1. Nottingham City Council is a democratic organisation, with Councillors elected every four years. As a democratic organisation, the Council is committed to openness and honesty about how it operates. Unless there is a legal reason not to do so, our major policies and decisions are published on our website and available for inspection at our offices.
  2. Nottingham City Council is regulated by a range of bodies responsible for particular areas of Council activity including OFSTED and the Care Quality Commission.
  3. **Full Council**

Full Council is when all 55 elected Councillors come together to take major decisions. Some decisions, such as amending this Constitution, agreeing the rate of Council tax, and appointing a Leader and Lord Mayor must be taken by Full Council. Full Council must also agree the budget and policy framework within which all other decisions must be taken. Full Council is chaired by the Lord Mayor or, in his/ her absence, by the Sheriff.

* 1. Other business conducted by Full Council includes questions from the public and councillors, presentation of petitions, presentation of motions, establishing Committees and making appointments to them.
  2. Full Council ordinarily meets six times a year and meetings are open to the public to attend and observe.
  3. More information about Full Council can be found in Article 9 – Non-Executive Functions and Committees and Article 12 – Standing Orders and Committee Procedures.
  4. **The Executive**

Nottingham City Council has adopted a Strong Leader and Cabinet model of Executive Governance as opposed to the alternative models of an Elected Executive Mayor or a Non-executive Committee system. Under the Strong Leader model, following an election, Full Council appoints a Councillor as Leader for a four year term. The Leader then appoints a Deputy Leader and up to eight other Councillors as Portfolio Holders and delegates responsibilities for making decisions on areas of Council business to them and to officers. The Leader, Deputy Leader and Portfolio Holders meet as Executive Board to take decisions collectively. The Leader can establish other Executive Committees and can take any Executive Decision him/herself.

* 1. The majority of Council business is Executive. Executive Decisions can be taken by:
* Executive Board
* another Executive Committee or sub-Committee
* the Leader
* individual Portfolio Holders
* officers.

Executive Committees meet in public and decisions made by the Leader, Portfolio Holders and officers are published on our website.

* 1. More information on the Executive can be found in Article 7 – Decision Making and Article Ten – Executive Arrangements.
  2. **Non-Executive Business**

Non-executive business covers decisions that cannot by law be taken by the Executive. Examples of such decisions include those relating to planning, licensing and staffing matters. Full Council will appoint Committees of Councillors where decisions will be taken collectively on Non-executive matters.

* 1. Non-executive Committee meetings are open to the public and details are published on our website.
  2. More information about Non-executive business and Committees can be found in Article 7 – Decision Making and Article 9 – Non-Executive Functions and Committees.
  3. **Overview and Scrutiny**

Councillors who are not on the Executive may be appointed to one of the Council’s Overview and Scrutiny Committees. The purpose of the Overview and Scrutiny Committees is to develop policy and to ensure that the Council’s Executive, and certain other partners, are publicly held to account for their decisions and actions. Overview and Scrutiny has wide remit to explore how the Council and its partners could improve services for the people of Nottingham.

* 1. When evidence shows there could be a better way of doing things, Overview and Scrutiny can make recommendations for change. Overview and Scrutiny cannot make decisions or overturn the decisions of others. Instead, it aims to support improvement.
  2. Overview and Scrutiny has specific powers and duties in relation to:
* Organisations commissioning or providing NHS or public health funded services received by local people, and
* Organisations involved in work to reduce crime and disorder in the City.
  1. Further information on Overview and Scrutiny can be found in Article 11 – Overview and Scrutiny.
  2. **Audit Committee**

Also overseeing the Council is the Audit Committee. Its purpose is to provide assurance on the adequacy of risk management and control by the Council and to oversee the financial reporting process, including approving the Statement of Accounts.

* 1. **Councillor and Officer Roles**

Councillors and officers of the Council will work together to support the smooth and effective running of the Council. Councillors and officers have separate but complementary roles with Councillors broadly being responsible for setting policy and budgets and officers being responsible for providing professional advice and implementing agreed policy. Further detail can be found in Articles 4 – Councillors, 5 – Officers and 6 – Councillor/ Officer Protocol.

* 1. At certain times, for example during pre-election periods or during civil or national emergencies, responsibility for Council functions will change. Further detail of these arrangements can be found in Article 7 – Decision Making and Article 9 – Non-Executive Functions and Committees.