

# The Council and the Constitution

This Section explains the purpose of the Constitution and how it governs how the Council works.

## 1.1 Purpose of the Constitution

The purpose of this Constitution is to: -

- (a) help the Council lead the District of North East Derbyshire, working together with members of the public, business and other organisations;
- (b) help members of the public be involved in decision making;
- (c) help Councillors represent members of the public effectively;
- (d) make sure decisions are taken efficiently, appropriately and effectively;
- (e) make sure those who take the decisions can be held to account;
- (f) make sure that members of the public know who in the Council takes decisions and why they have taken them; and
- (g) provide a way of improving the delivery of services to the community.

## 1.2 Meaning of the Constitution

- (a) If the Constitution gives the Council a choice about what to do, the Council must choose the option that it thinks is closest to the purposes of the Constitution, set out in Section 1.1 (above).
- (b) The decision of the Chairman of the Council on the meaning of the Constitution or on any proceedings of the Council cannot be challenged by anyone at a Council Meeting. The Chairman of Council must have regard to the purposes of the Constitution when making a decision.

## 1.3 Review of the Constitution

The Monitoring Officer must monitor and review how the Constitution is working to make sure it gives full effect to the purposes in Section 1.1 (above).

## 1.4 Changes to the Constitution

Changes to the Constitution can only be approved by Council. Responsibility for reviewing and keeping up to date the Constitution rests with the Standards Committee. The Monitoring Officer may make any associated changes to the Constitution to reflect what has been agreed by Council.

## **1.5 Can the Constitution be suspended?**

The Constitution cannot be suspended in its entirety. Council may suspend the operation of some of the Procedure Rules.

## **1.6 Publication**

The Monitoring Officer will make sure that every Councillor has access to the Constitution and that it is made widely available to staff and the public on the Council's website.