

LEICESTERSHIRE COUNTY COUNCIL's CONSTITUTION

PART 3 – RESPONSIBILITY FOR FUNCTIONS

CONSTITUTION AND ETHICS COMMITTEE

1. The Constitution & Ethics Committee shall not have power to appoint subcommittees, save in relation to members' allowances.
2. The extent to which the non-executive powers within the Committee's remit have been delegated to chief officers, either by the full County Council or by the Committee (or by any of the bodies previously charged with the functions now within its remit), will be found:
 - (a) in the general scheme of delegation to heads of departments which appears in Section D of this Part; and
 - (b) in the record of specific delegations maintained by the Chief Executive for public inspection at County Hall and which constitutes Part 9 of this Constitution.
3. Subject to the delegations described in paragraph 2, the functions delegated to the Committee shall be:
 - (a) **Elections.** Those functions relating to elections which are specified in Schedule 1 to the Functions Regulations and which are relevant to a county council.
 - (b) **Names and status.** Those functions relating to the name and status of areas and individuals which are specified in Schedule 1 to the Functions Regulations and which are relevant to a county council.
 - (d) **Bills.** Advising the Council on the promotion or opposition of local or personal Bills which are specified in Schedule 1 to the Functions Regulations and which are relevant to a county council.
 - (e) **Appointments.** Making and revoking appointments, except where the full County Council, the Cabinet, the Corporate Governance Committee or other board or committee has such responsibility.
 - (f) **Members' Allowances Scheme.** Advising the County Council on the Members' Allowances Scheme [Note: approval of the scheme cannot be delegated by the County Council to a committee].
 - (g) **Members' Services.** Approving the arrangements for providing appropriate support services to meet the needs of elected members.
 - (h) **Constitution.** Oversee the operation of the Council's Constitution and to make recommendations to the County Council on changes and improvements to the Constitution except for those which fall within the remit of the Corporate Governance Committee and the Employment Committee.
 - (i) **Member and Co-opted Member Conduct.** Overseeing and approving the Council's functions relating to the promotion and maintenance of high standards of conduct for members and co-opted members of the County Council including:

- (i) Making recommendations to the County Council regarding amendments to the Members' Code of Conduct and the Member/Officer Protocol;
- (iii) Approving the Council's procedure for handling Member Conduct Complaints. (See also delegation to the Chief Legal Officer and Monitoring Officer.)
- (iv) Approving training to be provided to Members on the Code of Conduct;
- (v) Monitoring the operation of the Code of Conduct
- (vi) Select and recommend to the County Council persons for appointment as an Independent Person.
- (j) **Dispensations and Exemptions.** Approving the granting of a dispensation to any member in respect of any statutory and non-statutory disclosable interests and agreeing to exempt members from vacation of office for failure to attend meetings.
- (l) **Charitable Trustee.** Those functions relating to the Council's role as a Charitable Trustee where the Council has been identified as a trustee of a charity or trust or the recipient of a bequest and holds property or assets on trust, including consideration of matters where there is a conflict or potential conflict between the Council's interests and those of the Charitable Trust or bequest.