



## CONSTITUTION

April 2022 version 9

(This replaces all versions numbered 8.9 or less)

To be updated following the decision made at [Annual Council on 18 May 2022](#)

### NOTE

The officer/staff titles used in this Constitution reflect the organisational structure as at the date of publication. This may change from time to time; please refer to the Monitoring Officer if in doubt.

# PART 1 – CONTENTS, INDEX AND GLOSSARY

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## GLOSSARY

TERM	SIMPLE EXPLANATION	DETAILED EXPLANATION
<b>Approved List</b>	A list of Suppliers drawn up following a suitable competitive process.	See Contract Standing Orders in Part 3 Section 20
<b>Clear days</b>	In relation to the period of a notice, the period excluding the day on which the notice is given or served and the day for which it is given or on which it is to take effect.	Clear days means a complete period of 24 hours (including weekends and Bank Holidays) excluding the day when notice is given and the day for which it is to take effect.
<b>Community Governance Review</b>	Essentially, a petition to council seeking to change the way an area of the authority is governed by establishing a parish council.	See the Local Government & Public Involvement in Health Act 2007 (Part 4) and Guidance on Community Governance Reviews issued by the Local Government Boundary Commission. For a petition to be valid it must be signed by the requisite number of local electors: a) for an area with fewer than 500 local electors, the petition must be signed by at least 50% of them; b) for an area with between 500 and 2,500 local electors, the petition must be signed by at least 250 of them; and, c) for an area with more than 2,500 local electors, the petition must be signed by at least 10% of them.
<b>Contract</b>	Any agreement for the supply of goods, services, or the execution of works to or for the council, including: (a) the use of consultants (b) any Framework Agreement (c) any agreement where no payment is made by the council but which is of financial value to a contractor (e.g. a catering concession)	See Contract Standing Orders in Part 3 Section 20
<b>Contract Database</b>	The central record of contracts held by the council.	See Contract Standing Orders in Part 3 Section 20
<b>Contract Evaluation Panel</b>	A group of staff members with knowledge and experience of the contract who evaluate tender submissions in accordance with the evaluation criteria set out in the tender documentation.	See Contract Standing Orders in Part 3 Section 20
<b>Contract Notice</b>	An advert and/or call for competition.	See Contract Standing Orders in Part 3 Section 20

<b>TERM</b>	<b>SIMPLE EXPLANATION</b>	<b>DETAILED EXPLANATION</b>
<b>Contracts Store</b>	The central store of contracts held by the council.	See Contract Standing Orders in Part 3 Section 20
<b>Co-Opted Member</b>	A co-opted or independent member of the council, Independent Persons and members of the Independent Remuneration Panel.	
<b>Corporate Management Team</b>	Internal senior officer board. Purpose: to provide effective leadership and direction for the work of the council ensuring that priorities as set out in the Corporate Plan are delivered.	Consisting of: <ul style="list-style-type: none"> <li>● Chief Executive (Chair);</li> <li>● Assistant Chief Executive &amp; Chief Strategy Officer</li> <li>● Director of Adult Social Services</li> <li>● Director of Children’s Services</li> <li>● Director of Neighbourhoods</li> <li>● Director of Corporate Services</li> <li>● Director of Finance (Chief Finance Officer)</li> <li>● Assistant Director of Finance</li> <li>● Director of Regeneration</li> <li>● Director of Public Health</li> <li>● Monitoring Officer</li> <li>● Principal Officer for Communications (or their deputies)</li> </ul>
<b>Decision-makers</b>	Full Council or its committees, Cabinet, individual Cabinet Members, or officers.	See Part 3 Sections 6-16 for the detailed terms of reference of the council’s committees, Cabinet, etc, and the scheme of delegation to staff members
<b>Deputy Chief Officer</b>	A person who reports directly or is directly accountable to one or more Statutory or Non-Statutory Chief Officers, but excluding anyone whose duties are solely secretarial, clerical or are otherwise support services.	See Part 3 Section 6, (Scheme of Delegation) and Part 4D (Officer Employment Rules)
<b>Executive Decisions</b>	Most decisions, taken in accordance with, and in order to implement, the Budget and Policy Framework by the Leader, Cabinet, Cabinet Members or officers acting under delegated authority.	See Part 3 Section 2
<b>Forward Plan</b>	A list of all the planned significant decisions of the Cabinet and Full Council in the following four months. The Forward Plan is updated monthly on the council’s website.	See Part 3 Section 14



TERM	SIMPLE EXPLANATION	DETAILED EXPLANATION
<b>Framework Agreement</b>	An agreement with suppliers that sets out the terms and conditions under which specific purchases can be made, either set up by the council or another contracting authority.	See Contract Standing Orders in Part 3 Section 20
<b>Governance Arrangements</b>	The political management model under which the council operates. The Isle of Wight Council operates under a strong Leader and Cabinet model. There are two other main options: directly-elected Mayor or the committee system. Legislation requires that a petition to the council that meets a specified threshold will trigger a referendum to change the model.	Guidance is set out in section 9M of the Local Government Act 2000 and the Local Authorities (Referendums) (Petitions) (England) Regulations 2011
<b>Governance Statutory Chief Officer</b>	<ul style="list-style-type: none"> <li>• Head of Paid Service (Chief Executive)</li> <li>• Monitoring Officer</li> <li>• Chief Finance Officer</li> </ul>	See Part 3 Section 6, (Scheme of Delegation) and Part 4D (Officer Employment Rules)
<b>Grant</b>	An agreement giving financial assistance to an individual or organisation for a specific purpose with no supply of goods or services, or execution of works, in return.	See Contract Standing Orders in Part 3 Section 20
<b>Invitation to Tender (ITT)</b>	The process whose purpose is to invite Suppliers to bid for the supply of specific goods, works or services, where the contract value is over £100,001.	See Contract Standing Orders in Part 3 Section 20
<b>Key Decisions</b>	The most important Executive decisions involving significant expenditure and/or having a significant community impact.	<p>An Executive decision that is likely to:</p> <p>(a) result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the budget for the service or function to which the decision relates; or</p> <p>(b) be significant in terms of its effects on communities living or working in an area comprising two or more electoral divisions. Central government guidance clarifies what is meant by “significant impact on communities”:</p> <ul style="list-style-type: none"> <li>• For example, a decision to close a school or carry out road works (such as introducing or altering traffic calming</li> </ul>

TERM	SIMPLE EXPLANATION	DETAILED EXPLANATION
		<p>measures) in a neighbourhood, notwithstanding the thresholds of financial significance and that there may be an impact on only one division</p> <ul style="list-style-type: none"> <li>• Where a decision is only likely to have a significant impact on a small number of people in one division, those people should nevertheless be informed of the forthcoming decision and sufficient time allowed for them to exercise their rights to see the relevant papers and make an input into the decision making process</li> </ul>
<b>LGPS</b>	The Local Government Pension Scheme	As constituted by the Local Government Pension Scheme Regulations 2013, the Local Government Pension Scheme Transitional Provisions, Savings and Amendment) Regulations 2014 and the Local Government Pension Scheme (Management and Investment of Funds) Regulations 2009
<b>Local Choice Functions</b>	A list of functions that the council has decided will be exercised by either Full Council, committees, Cabinet or officers.	Local choice functions are set out in Schedule 2 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000. See Part 3 Section 9
<b>Non-Executive Decisions</b>	Decisions that are taken, or delegated to committees or officers, by Full Council.	For example, planning and licensing applications, audit matters and human resource matters that cannot be taken by Cabinet or individual Cabinet Members. See Part 3 Section 2
<b>Non-Statutory Chief Officer</b>	A person who is directly accountable to the Head of Paid Service, or who reports directly or is directly accountable to the local authority itself or any committee or sub-committee of the authority; but excluding anyone whose duties are solely secretarial or clerical or are otherwise support services.	Refer to Part 3 Section 6, (Scheme of Delegation) and Part 4D (Officer Employment Rules)

TERM	SIMPLE EXPLANATION	DETAILED EXPLANATION
<b>Policy Framework</b>	A list of policies, plans and strategies which Full Council approves on recommendation of Cabinet. There are detailed rules on its operation; e.g. to resolve disputes between the Cabinet and Full Council when setting the Framework, and on the role of scrutiny.	See Part 3 Section 5
<b>Procurement Board</b>	The senior officer group whose chair, the Director of Corporate Services, has responsibility for providing advice and recommendations to Directors regarding: <ul style="list-style-type: none"> <li>• waivers to Contract Standing Orders (CSOs)</li> <li>• price variations in excess of 10% or £100,000</li> <li>• compliance with CSOs</li> </ul>	The Board is made up of: <ul style="list-style-type: none"> <li>• Director of Corporate Services</li> <li>• Strategic Manager for Legal Services</li> <li>• Procurement and Contract Manager</li> <li>• Technical Finance Manager</li> </ul> The quorum is three.
<b>Quote</b>	A submission by a supplier setting out the delivery method and cost for a particular contract where the whole life value is below £100,000	See Contract Standing Orders in Part 3 Section 20
<b>Request for Quotation (RFQ)</b>	The process whose purpose is to invite Suppliers into a bidding process to bid on specific goods, works or services where the contract value is between £25,001- £100,000	See Contract Standing Orders in Part 3 Section 20
<b>Scheme of Delegation</b>	The scheme of delegation lists those decisions that can be made by officers of the council and identifies the relevant officer.	See Part 3 Sections 10-12 and 18
<b>Scheme Manager</b>	Means the Isle of Wight Council (as delegated to the Isle of Wight Pension Fund Committee) as administering authority of the Isle of Wight Council Pension Fund.	See Part 3 Section 6
<b>Service Manager</b>	A council officer with management responsibility for a service area.	See Contract Standing Orders in Part 3 Section 20
<b>Specification</b>	A document that clearly, accurately and completely describes in detail what the council intends to purchase.	See Contract Standing Orders in Part 3 Section 20
<b>Standstill</b>	A period of at least ten calendar days following the notification of an award decision in a contract tendered via the Official Journal of the European Union, before the contract is signed with the successful supplier.	See Contract Standing Orders in Part 3 Section 20

TERM	SIMPLE EXPLANATION	DETAILED EXPLANATION
<b>Statutory Chief Officer</b>	<ul style="list-style-type: none"> <li>• Head of Paid Service (Chief Executive)</li> <li>• Monitoring Officer</li> <li>• Chief Finance Officer</li> <li>• Director of Children’s Services</li> <li>• Director of Adult Social Services</li> <li>• Director of Public Health</li> </ul>	Refer to Part 3 Section 6, (Scheme of Delegation) and Part 4D (Officer Employment Rules)
<b>Supplier</b>	The supplier of goods and/or services and/or works through a contract let by or on behalf the council or any supplier bidding/tendering for such contract.	See Contract Standing Orders in Part 3 Section 20
<b>Tender</b>	A formal submission in response to an ITT by a supplier setting out the delivery method and cost for a particular contract.	See Contract Standing Orders in Part 3 Section 20