

Budget and Policy Framework Procedure Rules

1. THE FRAMEWORK FOR DECISIONS

- 1.1 Council is responsible for the adoption of the authority's budget framework, and for adopting the policy framework, comprised of the policies, plans and strategies set out in Part 3 of the Constitution.
- 1.2 Other policies, plans and strategies, and any successor documents may be adopted, approved, amended, modified, varied or revoked by the Committee to which the subject function has been delegated, or by the Policy Committee.
- 1.3 Once the budget, or a policy, plan or strategy is in place, it is the responsibility of the appropriate Committee to implement it and operate within it.

2. PROCESS FOR DEVELOPING THE BUDGET AND POLICY FRAMEWORK

- 2.1 When developing the initial proposals for the adoption of any budget or policy, plan or strategy within the policy framework, the Council will consider whether to undertake public consultation. Details of the consultation will be published online, usually through the Council's consultation platform. The lead officer will ensure that all Members are notified of the consultation.
- 2.2 At the end of the consultation period, the Committee will then draw up draft proposals for submission to Council, showing due consideration to the responses of consultees and the Committee's response. Once the Committee has approved the draft proposals, they will be referred at the earliest opportunity to Council for decision.
- 2.3 Council will consider the proposals and may adopt them, amend them, substitute alternative proposals in their place or refer them back to the Committee that submitted them for further consideration. Any amendment to the proposed budget must be certified by the Chief Financial Officer at least 5 working days prior to the relevant Council meeting as being reasonably calculated and sufficiently deliverable as to be robust and sustainable in the medium term.
- 2.4 If Council accepts the Committee's proposals with or without amendment the decision shall be effective immediately.
- 2.5 If Council rejects the Committee's proposals, a summary of Council's objections will be provided to the Committee, and they will be required to reconsider the proposals.
- 2.6 The Committee will have 5 clear working days from receipt of the notification to submit revised proposals or inform Council of their disagreement with the objections and resubmit the previous proposals. This must be accompanied by a written notice, stating the reasons for the revised proposals and/or the disagreement. Where such notice is received, a further meeting of Council to reconsider its decision will be convened.
- 2.7 The Council meeting must take place within 10 working days of the receipt of the Committee's written notice unless the Head of Paid Service and Monitoring Officer agree that the matter can wait until the next programmed Council meeting. Where the proposal is required by law to be formally agreed by a certain date, the Council meeting must take place prior to this deadline. At that Council meeting the decision of Council shall be reconsidered in the light of any revised proposals and/or the Committee's disagreement and the reasons behind them, which shall be available in writing to Council.

- 2.8 Council shall at that meeting make its final decision on the matter on the basis of a simple majority. The decision shall be made public and shall be implemented immediately.

3. DECISIONS OUTSIDE THE BUDGET OR POLICY FRAMEWORK

- 3.1 Subject to the provisions of paragraph 5 (Virement), Committees, Sub-Committees, officers, or joint arrangements discharging delegated functions may only take decisions which are in line with the Council's budget and policy framework. If any of these bodies or persons wishes to make a decision which is contrary to the policy framework, or contrary to or not wholly in accordance with the budget approved by Council, then that decision may only be taken by Council, subject to paragraph 4 (urgent decisions outside the budget framework) below.
- 3.2 In the following circumstances, advice should be taken from the Head of Paid Service, the Monitoring Officer, and the Chief Financial Officer:
- (a) A Committee, Sub-Committee, officer, or joint arrangement discharging delegated functions wants to take a decision they think may be outside of the budget or policy framework; or
 - (b) Three or more Members submit a question to the Monitoring Officer, in writing, suggesting that a decision to be taken by a Committee, Sub-Committee, officer, or joint arrangement discharging delegated functions may be contrary to the budget or policy framework.
- 3.3 If the advice of any of those officers is that the decision would be contrary to, or not wholly in accordance with, the existing budget or policy framework, then this advice should be set out in writing and the decision must be referred by that body or person to Council for consideration and decision, unless the decision is a matter of urgency, in which case the provisions in paragraph 4 shall apply.

4. URGENT DECISIONS OUTSIDE THE BUDGET OR POLICY FRAMEWORK

- 4.1 The Policy Committee may take a decision which is contrary to the policy framework or contrary to or not wholly in accordance with the budget approved by Council if the decision is a matter of urgency, under the urgency provisions set out in Article 7.7. However, the decision may only be taken:
- a) If it is not practical to convene a quorate meeting of Council; and
 - b) If the chair of the Policy Committee agrees that the decision is a matter of urgency.
- 4.2 The reasons why it is not practical to convene a quorate meeting of Council, and the Chair of the Policy Committee's consent to the decision being taken as a matter of urgency, must be noted on the record of the decision. In the absence of the Chair, the consent of the Vice-Chair, will be sufficient.
- 4.3 Following the decision, the Head of Paid Service on behalf of the Policy Committee, will provide a report to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

5. VIREMENT

- 5.1 Arrangements for budget virement will be in accordance with the provisions of the Council's Financial Regulations as set out in Part 4 of the Constitution.

6. IN-YEAR CHANGES TO THE POLICY FRAMEWORK

- 6.1 No changes may be made to any plan, policy or strategy which makes up the Policy Framework, as set out in Part 3 of the Constitution, within the statutory or regulatory timetable for consulting on and adopting or updating such documents, except where the change:
- (a) Will result in the closure or discontinuance of a service or part of service to meet a budgetary constraint;
 - (b) Is necessary to ensure compliance with the law, ministerial direction or government guidance; or
 - (c) The existing policy document is silent on the matter under consideration.