

Local Ward Members' Protocol

1. Scope

- 1.1 Local ward members as community champions have an important role to play in representing the Council in their wards, responding to the concerns of their constituents, in meetings with partners and serving on external bodies and organisations. It is essential for the proper running of the Council that members are fully informed about matters on which they may be required to make decisions or which affect their wards. **Quite simply, members should be “the first to know” of events and issues affecting their wards.**
- 1.2 The basic building blocks of democratic representation are at ward level. Therefore, the Council accepts that members need to be aware of significant developments within their wards if they are to be effective in their roles as spokespersons on behalf of their local communities.
- 1.3 The following protocol sets out a framework of rights or practices, which are to be applied to local ward members. The protocol cannot be comprehensive and its provisions must be interpreted flexibly and with regard to any special circumstances, which may apply in any particular case. They represent a base line from which any departure should be capable of justification. Except where impractical the Chief Executive and the Leader should approve any departure from this protocol.

2. Definitions

- 2.1 A “local matter” is an item where relevance is restricted to a particular ward. In this protocol “local ward member” shall mean the member(s) for a ward to which a matter relates exclusively or which relates solely to an elector of that ward and “local matter” shall be interpreted accordingly.
- 2.2 Where a single matter contains a series of discrete items some or all of which relate exclusively to the ward of a member(s) then each item shall be treated as a “local matter”.
- 2.3 Where a single matter applies to not more than three wards the Chief Executive or the Corporate Management Team shall give consideration to treating the matter as a “local matter” for each of the relevant members and shall apply the spirit of this protocol accordingly.

3. Duty on Chief Executive and Corporate Management Team

- 3.1 It is the duty of each chief officer to ensure that all relevant staff are aware of the requirement to keep local ward members informed and that the

timing of such information allows members to contribute to those discussions.

Local ward members should also be kept informed about matters affecting their wards during the formative stages of policy development. It is important in an effective democratic process that they know early on if they are to deal with their constituents' concerns or to exert influence on their behalf.

4. Business Conducted in Committee s etc

- 4.1 The Chief Executive, Directors and Managers should normally ensure that local matters being reported through the committee process are identified and marked accordingly on the front page of the report. The Chief Executive should ensure that a copy of the agenda and papers are supplied by electronic means to the local ward member(s) at the same time as the Committee papers are despatched.
- 4.2 ***Subject to the Council's Code of Conduct for Members, the usual rules regarding bias and predetermination and any special rules regarding regulatory committees (including the protocols on public speaking at meetings of the Strategic Planning Board and Planning Committees), the current rules permit local ward members to attend and ask questions at meetings of Council and to speak at meetings of Cabinet, committees and sub-committees. Members must give 3 clear working days' notice of the intention to ask a question at Council and must obtain the permission of the Leader or Chairman to speak at Cabinet, committees or sub-committees. Where permitted to do so, visiting Members may speak for up to 5 minutes.***
- 4.3 If local ward members do not attend such a meeting for whatever reason, they should be advised by the convenor of the meeting (provided the meeting is convened by the Council or its officers) of any significant outcome.

5. Business Conducted Outside Committee

- 5.1 Senior Officers as well as the Leader and Committee Chairmen and Vice-Chairmen are expected to keep local ward members apprised of **significant** matters that are not the subject of a report to Council or its Committees, but which relate specifically to the local member's ward or which may have a material impact in the local area of which the ward is a part. Significant matters include matters or items that are of concern to the general public and local ward members.

6. Consultation

- 6.1 Whenever the Council undertakes any form of consultation exercise, the local ward member(s) will be notified at the outset of the exercise.
- 6.2 Local ward members will be advised of all planning applications relating to their wards (and be able to view them within the Planning Department dealt with by the Council as the Planning Authority). Licensing applications are available for viewing on the website, which is routinely updated.

7. Expedited Procedures – Consultation

- 7.1 Where an officer *or an individual Portfolio Holder* makes a decision in accordance with the scheme of delegation on a local matter, a letter setting out the details of the matter and the course of action it is proposed to take, detailing the options and giving reasons for making the decision should normally be sent, by electronic means, to the local ward member(s) by the relevant chief officer.

8. Local Meetings

- 8.1 Where any public meeting to be held in a member's ward is arranged by the Council the local ward member(s) for the ward in which the public meeting takes place will be informed of the event and invited to attend by the Chief Executive or relevant Director e.g. a Planning Inquiry.
- 8.2 Local ward members will be invited to the opening of any Council buildings/projects or launches of services in their wards though if present the Mayor/Deputy Mayor, Leader/Deputy Leader, relevant Committee Chairman/Vice-Chairman shall take precedence unless otherwise agreed.
- 8.3 A copy of the Mayoral Engagement List shall be sent by electronic means to all members in order that they are kept informed of the Mayor/Deputy Mayor's attendance at any occasion in their ward.
- 8.4 Where a local liaison or local consultation group is established by the Council consideration should be given to whether the local ward member(s) should be invited to attend to observe if not appointed as a member of the group.

9. Publicity

- 9.1 Any publicity activity organised by officers in a member's ward whether of a local nature or borough wide nature will seek to involve the relevant local ward member(s) where possible.

10. Officer Meetings and Correspondence

- 10.1 The nature and extent of correspondence between the Council's Directorates on the one hand and the public or specific clients or recipients of services including their representatives on the other is such that it is neither always appropriate or practical for local ward members to be advised of all such matters.
- 10.2 Where any officer is invited to attend a meeting of a Parish Council they shall inform the ward members, by electronic means. Further, where senior officers are invited to attend a meeting with a public body in relation to a local matter, the local ward member(s) should normally be made aware, by electronic means, of the general circumstances.
- 10.3 Any information communicated to the local ward member(s) shall be without prejudice to the right of an officer to communicate with any relevant Committee Chairmen, Group Leader or other member(s) as appropriate in the circumstances.

11. Action Relating to Other Members' Wards

- 11.1 Where a member wishes to propose a motion or seek a debate or otherwise speak in a meeting of the Council or a Committee in relation to a local matter in another member's ward, they should seek wherever possible, as a matter of courtesy, to give prior warning to the local ward member(s).
- 11.2 All members who involve themselves in matters relating to the Council or its functions in wards other than their own should seek, as a matter of courtesy, to advise the local ward members of these actions and should do so in advance if circumstances permit. (This shall not apply to canvassing or other party political activity.) However, it must be accepted that Cabinet and Scrutiny Members will on occasion have a need to consider issues which involve individual wards and it may not always be possible to inform local ward members in advance.

12. Community Amenities

- 12.1 Under this protocol all Directorates must notify local ward members if they become aware of any proposals for the closure or opening of community amenities, including post offices, bank branches, health facilities etc.

13. Confidentiality

- 13.1 The local ward member(s) under this protocol must not make public nor make personal use of any information or material supplied to them where the supplier of the information has indicated that it is of a confidential

nature. They must also comply with any relevant provisions of the Data Protection Act and the Freedom of Information Act.

14. Commitments

- 14.1 Local ward members are reminded that they do not have the right to commit the Council or its officers to any particular course of action and should ensure that they do not convey to the public any false impression of commitment or give any undertaking that they are not in a position to personally fulfil.

15. Freedom of Information Requests

- 15.1 Local ward members will be advised of any Freedom of Information requests that affect their wards.

16. Dissemination of the Protocol

- 16.1 The protocol will be disseminated throughout the Council to ensure that all officers communicate with and involve local ward members and therefore it is proposed to do this by the following means:

- Talking East - Council intranet
- Corporate Management Team's minutes
- Departmental Management Teams
- Talking East – Your Monthly Staff Newsletter
- Induction
- As part of the Communications Strategy

17. Review of this Protocol

- 17.1 The Local Government and Public Involvement in Health Act 2007 contains provisions regarding the role of local ward members, which may require amendment of this policy in due course. The Council's Standards Committee may issue revisions from time to time.