

Governance Committee Agenda

**15 June 2022 at 7.15pm (or upon the rising
of the joint meeting with the Audit and Risk
Committee, whichever is the later)**

**Crompton Room, Civic Centre, Duke Street,
Chelmsford, CM1 1JE**

Membership

Councillor H. Ayres (Chair)

and Councillors

K. Bentley, N.A. Dudley, D.G. Jones, M.S. Steel, A.G. Thorpe-Apps
and N.M. Walsh

Parish Council Representatives

Councillor V. Chiswell (Great Baddow Parish Council)
Councillor P.S. Jackson (Great Waltham Parish Council)
**Councillor J. Saltmarsh (Woodham Ferrers and Bicknacre
Parish Council)**

Local people are welcome to attend this meeting, where your elected Councillors take decisions affecting YOU and your City. There is also an opportunity to ask your Councillors questions or make a statement. These have to be submitted in advance and details are on the agenda page. If you would like to find out more, please telephone Daniel Bird in the Democracy Team on Chelmsford (01245) 606523

email daniel.bird@chelmsford.gov.uk

Governance Committee

15 June 2022

AGENDA

1. Apologies for Absence
2. Election of Vice Chair
3. Minutes

To consider the minutes of the meeting held on 9 March 2022

4. Declaration of Interests

All Members are reminded that they must disclose any interests they know they have in items of business on the meeting's agenda and that they must do so at this point on the agenda or as soon as they become aware of the interest. If the interest is a Disclosable Pecuniary Interest they are also obliged to notify the Monitoring Officer within 28 days of the meeting.

5. Chair's Announcements
6. Monitoring Officer Report
7. Gifts and Hospitality Report
8. Proposed Amendments to the Constitution
9. Model Code of Conduct
10. Work Programme
11. Urgent Business

To consider any other matter which, in the opinion of the Chair, should be considered by reason of special circumstances (to be specified) as a matter of urgency.

MINUTES OF THE GOVERNANCE COMMITTEE

9 March 2022 at 7pm

Present:

Councillor H.Ayres (Chair)

Councillors K. Bentley, N.A. Dudley D.G. Jones, M.S Steel, N.M. Walsh and R.T. Whitehead

Also in attendance –

City Councillors Fuller and Robinson

Parish Councillors V Chiswell, P Jackson and J Saltmarsh

Independent Persons –
Mrs C Gosling and Mrs P Mills

1. Apologies for Absence

Apologies for absence were received from Councillors Thorpe Apps and Wright. Councillors Steel and Whitehead were their substitutes.

2. Minutes

The minutes of the meeting on 2 February 2022 were confirmed as a correct record.

3. Declarations of Interest

All Members were reminded to declare any Disclosable Pecuniary interests or other registerable interests where appropriate in any items of business on the meeting's agenda. None were made. In relation to the community governance review item, it is a matter of public record which area any Parish, City or County councillors in attendance at the meeting represent and there was no need for declarations to be made in this regard.

4. Public Question Time

The Chair agreed to hear the two public questions that had been submitted at the relevant points during Item 6.

5. Chair's Announcements

No Announcements were made

6. Community Governance Review

The Committee received a report which detailed the final recommendations following the second stage of consultation for the Community Governance Review, these were for discussion by the Committee and then a recommendation to Full Council. It was noted by the Committee that any changes would need to be agreed at Full Council, after which a legal order, implementing the changes to parish and town council governance arrangements would be made.

The Committee were informed that it was good practice to undertake a review every 10-15 years and this whole City review had been of the Council's own violation. It was noted that two consultation stages had been undertaken and the final recommendations included a range of proposals. The Committee heard that these included changes to boundaries, the number of ward Councillors, new parishes and in some areas no changes. The Committee also heard that there had been statutory guidance to be followed and any changes had to be supported by evidence that the recommended changes would meet the statutory criteria.

It was noted that the first stage of consultation had been a blank sheet exercise, which was then used to formulate the draft recommendations. These were then consulted on too, leading to the final recommendations before the Committee, which would then go on to Full Council. The Committee was informed that at this stage there was no longer scope for any major changes, as they had to be evidence based and consulted upon. The Committee also heard that any changes were not subject to a certain level or percentage of support. It was noted that whilst some response numbers may have seemed low the final recommendations were based on strong evidence to indicate a clear way forward. The Committee also heard that extra weight had been given to the views of residents directly affected. It was noted by the Committee that NALC guidance had been used to make decisions on the amount of Parish Councillors in Parish Councils.

Richard Beesley, the Council's external consultant for the Community Governance Review took the Committee through the formal processes which had led to this stage. He also informed the Committee, that he was external to the Council, with no vested interest and no prior knowledge of the area, therefore the recommendations were based on the consultation responses. It was also noted that some consequential amendments to City wards would be required as a result of the final recommendations. It was noted that these would be discussed with the Local Government Boundary Commission for England.

The Committee were taken through each area in turn and informed of any changes or if there were not any proposals being recommended. The final recommendations are detailed below.

Area	Draft Recommendations	Final Recommendations
East Hanningfield	No changes	No changes
Good Easter	No changes	No changes
Great Waltham	No changes	No changes
Highwood	No changes	No changes
Pleshey	No changes	No changes
South Hanningfield	No changes	No changes
South Woodham Ferrers	No changes	No changes
Stock	No changes	No changes
Woodham Ferrers and Bicknacre	No changes	No changes
Danbury	Reduce councillors from 15 to 12	Reduce councillors from 15 to 12
Little Baddow	Reduce councillors from 9 to 8	No changes
Great and Little Leighs	Increase councillors from 9 to 10	Increase councillors from 9 to 10
Margaretting	Reduce councillors from 9 to 7	Reduce councillors from 9 to 7
Roxwell	Reduce councillors from 9 to 7	Reduce councillors from 9 to 7
Sandon	Increase councillors from 7 to 8	Increase councillors from 7 to 8
West Hanningfield	Reduce councillors from 9 to 8	Reduce councillors from 9 to 8
Mashbury	No changes (but consult)	No changes
Rettendon	No changes (but consult)	No changes
Runwell	(i) Create new parish ward (ii) Change parish councillor numbers	(i) Create new parish ward (Area A) (ii) Change parish councillor numbers
Writtle	(i) Adjust parish ward boundary (ii) Change parish councillor numbers	(i) Remove parish wards (ii) Parish councillors to be 15 in total
Galleywood	(i) Adjust boundary to include southern part of Goat Hall (ii) Remove parish wards (iii) Change number of parish councillors	(i) No change in boundary (ii) Remove parish wards (iii) Change number of parish councillors to be 9 in total
Great Baddow	(i) Adjust boundaries (Petrel Way) (ii) Adjust boundaries (Regal Close)	(i) Adjust boundaries (Petrel Way) (Area B) (ii) Adjust boundaries (Regal Close) (Area C)

	(iii) Adjust boundaries (Waterson Vale etc) (iv) Number of parish councillors	(iii) Adjust boundaries (off Baddow Road) (Area D) (iii) Number of parish councillors to increase to 15 across 3 existing wards
Chignal	(i) Adjust boundary (Hollow Lane)	No changes
Broomfield	(i) Adjust boundary (Hollow Lane) (ii) Adjust boundary (Petty Croft) (iii) Adjust boundary (north of hospital development) (iv) Adjust boundary (new parish) (v) Number of parish councillors	(i) no change (ii) Adjust boundary (Petty Croft) (Area E) (iii) no change (iv) Adjust boundary (new parish) (Area F) (v) Number of parish councillors – no change
Little Waltham	(i) Adjust boundary (Petty Croft) (ii) Adjust boundary (north of hospital development) (iii) Adjust boundary (new parish) (iv) Parish councillors	(i) Adjust boundary (Petty Croft) (Area E) (ii) no change (iii) Adjust boundary (new parish) (Area G) (iv) Parish councillors – reduce from 9 to 7
Boreham	Adjust boundary (new parish)	Adjust boundary, revised (new parish) (Areas H and L)
Springfield	(i) Adjust boundary (new parish) (ii) Adjust boundary (Chelmer Village) (iii) Adjust boundary (Trinity and The Lawns) (iv) Parish councillors	(i) Adjust boundary (new parish) (Areas I and J) (ii) Adjust boundary (Chelmer Village) (Area K) (iii) no change (iv) parish councillors – reduce to 13 (v) Adjust boundary (Area L)
New parish	Create new parish	Create new parish (Areas F, G, H, I and J) New parish to be named <i>Chelmsford Garden Community</i>
Chelmer	New parish called <i>Chelmer Village</i>	Create new parish of <i>Chelmer Village</i> with 15 councillors (Area K)
Unparished area	No further changes	No further changes (Areas B, C and D)

During the overview of the area by area changes, in response to comments and questions from the Committee, they were informed that;

- Broomfield Parish Council had expressed that they wished to remain with 13 Parish Councillors during the initial CGR consultation.
- A further CGR of the area referred to in Broomfield as North of the Hospital could be undertaken at a later stage once the properties were built and occupied.
- A change in the Boreham Parish area to include all of the New Hall School development as part of Boreham had been identified by the school during the review. It was noted that it was a tidying up exercise, as part of the playing field was currently in the neighbouring Parish. It was also noted that no residential properties were affected.
- The new recommendation of 13 Parish Councillors for Springfield Parish was due to the NALC guidance and the fact it would become an unwarded Parish.

In response to the two public questions which had been submitted in advance, officers informed the Committee that;

- The first stage of the process had been a blank sheet exercise and Springfield Parish Council had the opportunity at this point to suggest changes such as parts of their area being unparished.
- It was not possible for officers to comment on the precepts or responsibilities of the new Parish Council's being created. It was noted that these would be questions for the new Parish Council's themselves once they were established.

Members of the Committee and other Councillors attending the meeting, noted the importance of the thorough review that had been undertaken. It was noted that the changes had been developed after careful consideration of the consultation responses. It was also noted that the creation of the new Chelmsford Garden Community Parish would be an important opportunity for a new community in the area to develop. Members also raised the importance of close working with Parishes during the next stages and transitional arrangements, including the devolving of assets to the new Parishes and the formal process to request consequential amendments to the LGBCE.

Members of the Committee thanked officers, Mr Beesley and the working group for their hard work in reaching this stage and agreed that sensible and pragmatic decisions had been reached.

The Committee confirmed they were happy with the draft recommendations as detailed, being recommended to Full Council.

RESOLVED that

1. the outcome of the formal consultation be noted and;
2. the Committee recommends to Council the Final Recommendations of the Community Governance Review for implementation through a legal order.

(7.03 pm to 8.04pm)

7. Monitoring Officer Report

The Committee received a report updating them on recent standards complaints. Members were informed there had been a significant increase in the level of complaints during 2021 and two had been received so far in 2022. It was also noted by the Committee that complaint reference 18/21 had been combined with five fresh complaints. These were of a similar nature relating to different Councillors at the same Parish. It was also noted that two other linked complaints had been referred for investigation and 3 complaints had been concluded at the initial assessment stage. The Committee noted that some hearings may be required soon and that these were likely to be heard separately.

RESOLVED that the current statistical information as to complaints made be noted and published on the Council's website

(8.05 pm to 8.08 pm)

8. Urgent Business

There were no items of urgent business.

The meeting closed at 8.08 pm.

Chair



Chelmsford City Council Governance Committee

15 June 2022

Monitoring Officers Report

Report by:
Monitoring Officer

Officer Contact:

Lorraine Browne, Legal & Democratic Services Manager & Monitoring Officer,
lorraine.browne@chelmsford.gov.uk, 01245 606560

Purpose

To update members on recent standards complaints.

Recommendations

1. To note the current statistical information as to complaints made and agree this should be published on the Council's website as set out in the Appendix.
 2. To note the addition of an annual report to the committee workplan relating to the updating of the register of interests at both city and parish level.
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1. Standards Complaints

- 1.1. The Appendix to this report sets out the latest statistical data related to complaints under the Standards regime.
- 1.2. Members will note that there was a significant increase in the level of complaints received during 2021. So far during 2022, 2 complaints have been received both of which have resulted in no further action.
- 1.3. In relation to outstanding investigations, members will note that the three outstanding investigations in relation to various complaints have recently been completed. Two were scheduled for hearing in June. One hearing was cancelled due to the councillor's resignation and the case will instead be concluded administratively by the Monitoring Officer in consultation with an Independent Person. A second hearing was provisionally scheduled but a new date is being sought due to the non-availability of one of the councillors scheduled for hearing. A third investigation is also shortly to be scheduled for hearing.
- 1.4. Subject to any questions raised, the Committee is asked to confirm that this information should be published as set out in Recommendation 1.

2. Register of Interests

2.1 The Monitoring Officer has noticed an increased number of informal and formal complaints relating to outstanding register of interest forms at parish level. As a result, an annual report to Governance Committee is proposed to be added to the workplan for October each year with a view to reporting the position relating to compliance with the requirement to register interests at city and parish tiers. In advance of the annual report to committee reminders will be issued to parish clerks.

List of Appendices

Appendix 1 – Statistical information regarding complaints made.

Background papers:

Nil

Corporate Implications

Legal/Constitutional: These are set out in the report

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

Consultees: None

Relevant Policies and Strategies:

Complaints Procedure

Standards Enquiries and Investigations Statistics – Localism Act 2011

November 2021 to February 2022

Status of Complaint Categories	Total No.	Case No.	City, Parish or Town Councillor	Date Issue First Raised	Alleged Breach or Issue Raised	Current Position
1. No formal complaint or withdrawn	0					
2. No further action required after consultation with one of the Independent Persons	4	30/21	Parish	Dec 21	Various allegations relating to disrespect/bullying, not declaring an interest, disrepute and Nolan principles	Councillor offered opportunity to publicly apologise as an alternative to investigation. Public apology given. NFA
		36/21	Parish	Dec 21	Various allegations relating to Lack of leadership, disrespect/bullying, equalities, registration and declaration of interests	None of the allegations sufficiently serious to warrant any action being taken. Councillor had declared their interests but accepted they had sometimes been prompted by the clerk to do so. Reminder given in relation to declaration of interests.

Status of Complaint Categories	Total No.	Case No.	City, Parish or Town Councillor	Date Issue First Raised	Alleged Breach or Issue Raised	Current Position
		1/22	Parish	Feb 22	Two allegations alleging disrepute and breach of Nolan principles in relation to behaviour of a councillor at a council meeting	Unlikely to amount to a breach or sufficiently serious to warrant any action being taken.
		2/22	City	Mar 22	Allegations relating to disrespect, disrepute, use of position for private advantage and Nolan principles	Councillor unlikely to have been acting in official capacity. NFA
3. Not able to legally pursue complaint	0					
4. Complaint on hold	0					
5. Decision as to appropriate action still awaited	0					

Status of Complaint Categories	Total No.	Case No.	City, Parish or Town Councillor	Date Issue First Raised	Alleged Breach or Issue Raised	Current Position
6. Complaints being investigated	12	18/21	Parish	Apr & Dec 21	Various allegations relating to registration/declaration of interests by 7 councillors	Investigation completed May 22. Hearing scheduled for 14/6/22 - to be deferred due to non-availability of a councillor
		Now linked with 31-35/21 24-27/21	City	Oct 21	4 separate but linked complaints against a councillor from members of the public concerning material provided to residents	Investigation completed June 22. Hearing to be scheduled
		28 & 29/21	Parish	Nov 21	Multiple allegations relating to disrespect/bullying, disrepute, confidentiality and Nolan principles	Two linked complaints received. Both referred for investigation together. Investigation completed April 22. Hearing scheduled for 7/6/22. Councillor resigned. Hearing cancelled and the decision to take no further action to be dealt with administratively by the MO in consultation with an IP.

Status of Complaint Categories	Total No.	Case No.	City, Parish or Town Councillor	Date Issue First Raised	Alleged Breach or Issue Raised	Current Position
Total	16		11 parish and 5 city council matters			

Formal Complaint Outcomes

	Case No. and Councillor	Committee Date and Decision	Date Issue First Raised	Current Position
Outcome of Investigations	12 & 14/21 Cllr Wendy Daden as Broomfield parish councillor	2/2/22 3 allegations. Allegation of disrepute – breach not found. Failure to register and declare interest breach found. Allegation that the councillor misled Planning Committee – breach found.	Feb 2021	Complaints concluded. Detailed decision notice provided and matter now closed.
Other Action				



Chelmsford City Council Governance Committee

15 June 2022

Gifts and Hospitality Report

Report by:
Monitoring Officer

Officer Contact:

Lorraine Browne, Legal & Democratic Services Manager & Monitoring Officer,
lorraine.browne@chelmsford.gov.uk, 01245 606560

Purpose

To update the Committee on offers of Gifts and Hospitality from January to December 2021

Recommendations

That the report be noted and that the register of Gifts and Hospitality for Councillors be updated quarterly and published on the Council's website.

1. Background

- 1.1. At its meeting on 20th January 2010, the Standards Committee agreed that an annual report should be made on offers of Gifts and Hospitality which have been made to Members of the Council and when the Governance Committee

assumed responsibility for these matters, this annual report was brought to this Committee.

2. Offers Made

2.1 There were no offers of gifts and hospitality to members of Chelmsford Council for the period January to December 2021.

2.2 There were no offers of gifts and hospitality to officers of Chelmsford Council for the period January to December 2021.

List of appendices:

Nil

Background papers:

Nil

Corporate Implications

Legal/Constitutional: None

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity:

No equalities impact assessment necessary.

Health and Safety: None

Digital: None

Other: None

Consultees:

None

Relevant Policies and Strategies:

None



Chelmsford City Council Governance Committee

15 June 2022

Proposed Amendments to the Constitution

Report by:

Legal and Democratic Services Manager

Officer Contact:

Brian Mayfield, Democratic Services Manager, brian.mayfield@chelmsford.gov.uk,
01245 606923

Purpose

To consider the recommendations of the Constitution Working Group arising from its annual review of the City Council's Constitution.

Recommendations

That, subject to any views the Cabinet might have, the Council be recommended to approve:

1. the general amendments to the Constitution detailed in Appendix 1 to this report;
 2. the revised Financial Rules set out in Appendix 2; and
 3. the amendments to the Mayoral Rules and Protocol referred to in Section 4 of the report and set out in Appendices 3a and 3b.
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1. Introduction

- 1.1. The Council's Constitution is reviewed annually to ensure that it remains complete, up to date and reflects current practice and legislation. Some Parts of the Constitution, such as the rules relating to meetings and officer delegations, are likely to need detailed review as they are more likely to be

affected by changes to organisational practices and legislation. Other Parts only need periodic detailed examination as they tend not to change significantly over time.

1.2. The annual reviews are initiated by officers and their recommendations are submitted in the first instance to the Constitution Working Group. Its recommendations are then passed to the Governance Committee, the Cabinet (where appropriate) and finally full Council.

1.3. This report sets out the findings of the Constitution Working Group on the following aspects of the Constitution:

- general amendments to meetings rules and Part 3 of the Constitution
- the Financial Rules
- the Mayoral Party Rules and Protocol

1.4. The Working Group also considered the adoption of the Local Government Association Model Councillor Code of Conduct and a separate report on that appears elsewhere on the agenda for this meeting.

2. General Amendments

2.1. A few updates to Part 3 of the Constitution (Responsibility for Functions) and the Executive Rules (Part 4.4) have been identified and are set out in Appendix 1.

2.2. The changes to Rule 4.4.5.6 relating to opposition spokespersons on Cabinet functions were prompted by the separation of the Chelmsford Independents Group into two smaller minority groups. The proposed arrangements for those groups to speak at Cabinet meetings are intended to ensure that all opposition groups have a fair and proportionate opportunity to question the Cabinet and contribute to its meetings whilst ensuring that those meetings are manageable and efficient. It should be noted that the representative of the Chelmsford Independents Group on the Working Group did not support the proposed change, fearing that it would curtail the ability of the smaller groups to contribute to Cabinet meetings. The Working Group as a whole, however, felt that it would afford those group adequate opportunity to be represented at and contribute to Cabinet meetings.

2.3. The Working Group also agreed that the current arrangements whereby a member of a smaller minority group is represented on all Working Groups should continue. This does not require a change to the Constitution.

3. Financial Rules

- 3.1. These form Part 4.9 of the Constitution and have not been reviewed in detail for some time. The revised Rules set out in Appendix 2 primarily reflect the departure of the Director of Financial Services and a new format for their presentation. The nature of the changes has made it difficult to highlight them via track changes; therefore, where content has been added or the nature of the rule has changed, a comment has been placed next to the text.
- 3.2. The practice notes referred to in the Financial Rules do not form part of the Constitution and are updated by officers on an informal basis. They are guidance to officers to assist them in operational activities. Therefore, the practice notes have not been included for consideration.

4. Mayoral Party Rules and Protocol

- 4.1. The review of the Mayoral Party Rules (Part 5.4 of the Constitution) and their associated Protocol was carried out by the Mayoralty Working Group as the body best placed to consider any changes to the practices and arrangements for the Mayoralty. Its findings were, however, circulated to the members of the Constitution Working Group, who endorsed its recommended changes.
- 4.2. The Protocol does not form part of the Constitution but it needs to reflect the Mayoral Rules and therefore the two should be reviewed in tandem. The Rules themselves are “high level” and set out the main principles associated with the conduct of the Mayoralty. They are unlikely to change significantly over time. The Protocol, on the other hand, sets out in more detail how the Rules will be applied and cover the practical operation of the Mayoralty. That operation is more likely to vary over time, whilst still reflecting the general approach laid down by the Rules. The Protocol is therefore more likely to change as practices evolve and adapt.

Mayoral Party Rules

- 4.3. Other than a few minor typographical corrections and the inclusion of reference to more than one opposition group being represented on the Mayoral Working Group, the only change being recommended is to Rule 5.4.7.4 in respect of the bank account for the Mayor's Charities by adding the following to the end of that Rule:

“No Council officer will be involved with the administration of the Charity account. A summary of the financial position on the Charity account will be provided to the Mayoral Working Group twice a year.”

- 4.4. This change confirms the practice that no officer will be involved with the administration of the bank account. There has always been a distinct

separation between the operation of the Mayoral Charities and the business of the Council. The Charities are personal to the Mayor and any funds raised should be entirely separate from the Council's own operation. The existence of a separate bank account reinforces that practice, as does keeping officer involvement in the charities at arms' length. Neither the Mayor's Office nor Financial Services therefore have any dealings with the Charities but that is not clear from the Rules. The suggested change reinforces that principle.

- 4.5. Whilst it is not for the Council to be involved in the day to day administration of the Charities account, it is desirable that someone there be an overview of the financial position on the account during the Mayoral year. The Mayoral Working Group has agreed that it should perform that role by receiving twice-yearly reports on income and expenditure within the account to enable a degree of independent monitoring. The Protocol has also been amended to that effect.

Mayoralty Party Protocol

- 4.6. The Working Group also reviewed in detail the arrangements for the safekeeping of the Mayoral regalia. For security reasons, it would not be appropriate to discuss those arrangements in a public document but the Mayoral Working Group was satisfied that the current arrangements are appropriate and adequate and no changes need to be made to the related aspects of the Rules and Protocol.
- 4.7. The only other part of the Protocol that the Working Group felt needed to be revised was the section on Town Twinning. There has been some discussion in the past on whether those taking part in visits to Chelmsford's twin towns should meet all or some of the associated costs. The Working Group agreed the addition of a new paragraph 11.3 to read:

"Those in the Mayoral Party participating in visits to Chelmsford's twinning partners would normally be expected to meet the costs associated with those visits, including travel, accommodation and subsistence."
- 4.8. Those on whom the costs would fall would not be expected to meet them from their own pockets but from the allowances given to the Mayor and Deputy Mayor to meet the costs associated with their roles.

5. Conclusion

- 5.1. The amendments to the Constitution arising from the latest review are limited in nature. Those relating to the general amendments in Appendix 1 and the Financial Rules in Appendix 2 will be referred to the Cabinet for its comments before being passed to full Council. Those relating to the Mayoralty in Section 4 above will go straight to full Council as the Cabinet has no responsibility for Mayoral matters.

List of Appendices

Appendix 1 – Proposed amendments to Part 3 and Part 4.4

Appendix 2 – Revised Part 4.9, Financial Rules

Appendices 3a and 3b – Revised Mayoralty Party Rules and Protocol

Background papers:

Nil

Corporate Implications

Legal/Constitutional: These are set out in the report

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

Consultees: None

Relevant Policies and Strategies:

None

APPENDIX 1 – GENERAL AMENDMENTS TO THE CONSTITUTION

PROPOSED AMENDMENTS TO PART 3.2.4 – ADVISORY PANELS FOR CABINET FUNCTIONS

Advisory Panel	Amendment
Community Funding Panel	Amend the membership by replacing the Cabinet Member for Sustainable Development with the Cabinet Member for Greener and Safer Chelmsford
Chelmer Waterside Project Panel	Add the Director of Public Places to the membership of the Panel

PROPOSED AMENDMENTS TO PART 3.4 – OFFICER DELEGATIONS

Delegation	Existing/New Delegation	Amendment
Part 3.4.1 - Delegations to all Directors	Add new delegation 3.4.1.3 and renumber subsequent delegations: In consultation with the relevant Cabinet Member or Chair, to make minor changes to existing policies and strategies.	
Delegation 3.4.7.5 to the Director of Sustainable Communities	Existing delegation: Planning policy under the local development framework	Amend to read: Preparation, consultation and monitoring of planning policies and proposals within statutory development plans, supplementary planning documents and planning guidance.
New delegation to the Director of Sustainable Communities	Add new sub-heading: <i>Specific delegations</i> and new delegation 3.4.7.25 Responses to consultations on Nationally Significant Infrastructure proposals as defined by section 14 of the Planning Act 2008 and other proposals of statutory	

	bodies and agencies, and proposed changes to national planning policy and guidance.	
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PROPOSED AMENDMENTS TO PART 4.4 - EXECUTIVE RULES

Rule	Amendment	Reason
Rule 4.4.5.6 (a)	the largest minority political group-- shall, at the Annual Meeting of the Full Council, nominate spokespersons to speak or ask questions on specific Cabinet functions. The spokespersons may nominate deputies to speak in their absence. In addition, the largest opposition group may nominate spokespersons for the areas of responsibility of Cabinet Deputies;	To enable the smaller minority group(s) to contribute to Cabinet meetings and question Cabinet members but to do so on a proportionate basis
Rule 4.4.5.6 (b)	No change: at the discretion of the chair of the meeting, the spokespersons or their nominated deputies may contribute to discussion on items on which they are spokespersons and ask questions under the item entitled Members' Questions; however, they shall not have the right to vote;	
Rule 4.4.5.6 (c)	with the exception of the ability to nominate deputies, the arrangements described in (b) above shall apply to any political groups other than the largest minority group and to councillors who do not constitute or belong to political groups, but they shall each be limited to contributing no more than twice at a meeting by way of asking questions or speaking on an item;	

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APPENDIX 2 – REVISED FINANCIAL RULES

1.	<u>Introduction</u>
1.1	<p>These Financial Rules aim to provide guidance on what is expected from Elected Members, the Section 151 Officer, Directors, Service Managers and all other members of staff (Officers).</p> <p>The Financial Rules form part of our Constitution, which sets out the political and administrative arrangements for the running of the Council.</p>
1.2	Directors/Service Managers are responsible for ensuring all Officers in their service areas are aware of the existence and content of the Council's Financial Rules and other internal regulatory documents, and that they comply with them.
1.3	Directors/Service Managers must ensure that all Officers have appropriate training in their Directorate or service area to meet the obligations of Council rules and policies.
1.4	Members and Officers are expected to conform to these rules. They do not provide a complete list but define the way Members and Officers are expected to operate. They are in place to protect both the Council and its employees. It is important that Members and Officers conform to the spirit of the rules, not only the specific rule.
1.5	To support Officers further, the Financial Rules are supported by Practice Notes, which are not part of the Constitution. If you need further advice, talk to your Line Manager, Director or get in touch with the Accountancy Services Manager (Section 151).
1.6	A Director may delegate any of their powers but still retains overall responsibility for compliance with these Rules, and in accordance with the Officer Scheme of Delegation, which can be found in Part 3.4 of the Constitution.
2.	<u>Responsibilities of All Officers</u>
2.1	Act to the highest standards of integrity, and exercise due care and attention when dealing with all aspects of the Council's finances.
2.2	Where Officers are unclear on any financial matter, they should seek advice from the Accountancy Team.
2.3	Conform to the Financial Rules. Any failure to conform to these Rules may be a disciplinary offence. If anyone is aware that these Financial Rules are not being followed, they should inform their manager or Accountancy Services Manager (Section 151).

2.4	Ensure the safety and security of assets and see that they are used in a legal and properly authorised manner. Assets retained by the Council must provide value for money (See Practice Note 1).
2.5	Inform the Procurement & Risk Services Manager and follow the whistleblowing procedures if there are reasons to suspect fraud or corruption (see Practice Note 2 - Fraud and Corruption).
2.6	Manage risks to the Council as part of day-to-day activities.
2.7	<p>Officers when purchasing (ordering goods and services), should ensure:</p> <ul style="list-style-type: none"> i) They have complied with and understood the Contract Procedure Rules ii) Good practice as set in Practice Note 3 is followed iii) Physical delivery of goods and services has taken place before receipting them on the financial system. iv) An agreement to rent plant & equipment (lease) is not entered into without consulting with Accountancy Services Manager Section 151 officer. v) Agreements to lease property (let out or rent) are not entered into without consulting with the Property Manager. <p>Further content on ordering is included later in these Financial Rules.</p>
2.8	Officers should not exceed the responsibilities and authority given to them by their Service Manager (and Director) and should conform to the Financial Rules and Contract Procedure Rules appropriate to those duties.
3.	<u>Service Managers</u>
	<p><u>The following items (3.1 to 3.10) are the responsibility of Service Managers, reflecting the delegation of financial management to them by the Council. These financial responsibilities are a key part of their role and failure to meet these could result in disciplinary action.</u></p> <p>The responsibilities are explained under the following headings:</p> <ul style="list-style-type: none"> 3.1 Financial Controls & Authorisation 3.2 Ordering of Goods and Services. Including Procurement & Payments of Grants 3.3 Income Collection 3.4 Budget Management (preparation and monitoring of revenue and capital)

	<p>3.5 Fees and Charges</p> <p>3.6 Grant Income</p> <p>3.7 Staffing Financial Matters (in the context of financial management)</p> <p>3.8 Taxation (including VAT)</p> <p>3.9 Risk Management</p> <p>3.10 Internal and External Audit obligations</p> <p><u>Service Managers should ensure Officers within their Service:</u></p> <ul style="list-style-type: none"> Are aware of Financial Rules: Ensure all Officers (temporary and permanent) in their service are aware of and understand the Financial Rules to which they must conform to carry out their role. This includes complying with "Key Decision" requirements as set out in Article 14 of the Constitution and any Practice Note on the subject. Are available to attend Audit & Risk Committee meetings when asked to do so.
3.1	<u>Financial Controls & Authorisation</u>
3.1.1	Ensure that processes and controls are in place to make sure that the Council's resources are properly applied. This includes responsibility for the prevention and detection of fraud and other illegal acts.
3.1.2	Ensure there is a clear and appropriate delegation of responsibilities and separation of duties in the service to reduce the risk of error and to prevent fraud, corruption, and collusion.
3.1.3	Ensure that authorisations within the ERP (i.e., Financial and HR systems) reflect the authority delegated to Officers.
3.1.4	Ensure Contract Procedure Rules are followed, and procurement guidance is sought from the Procurement Team.
3.2	<u>Ordering of Goods and Services, including Procurement & Payment of Grants</u>
3.2.1	<p>Ensure there is an approved budget for all planned expenditure before ordering goods and services.</p> <p>If insufficient budget is available to meet service obligations this should be discussed with the Accountancy Team. (See Appendix 1 to these rules - Virements and Supplementary Estimates).</p>
3.2.2	The Financial system has appropriate workflow to control ordering of goods and services, but managers must ensure that operational

Commented [PR1]: ERP =Enterprise Resource Planning (software)

	processes outside of the system are robust. For example, ensuring goods/services have been delivered before payment is made.
3.2.3	Ensure that the Contract Procedure Rules are followed, and Procurement team are notified of spend over £25k.
3.2.4	Foreign currency contracts or transactions must be agreed in advance with the Accountancy Services Manager (Section 151) (see Practice Note 4 - Contracts, External Partners and Third Party Working).
3.2.5	Act within the Practice Note 4 for Partnerships, where the Council is the lead authority for the partnership or holds the role of the partnership's treasurer.
3.2.6	Ensure that there are controls in place to prevent the loss or misuse of land, buildings, plant and equipment used by their Service (see Practice Note 1 – Assets).
3.2.7	Ensure the process for paying grants to the Third Sector (voluntary) organisations and other bodies are compliant with the standards of the Community Funding Scheme.
3.2.8	Ensure that leases for land, property, plant and/or equipment are not entered into without the authorisation of the Accountancy Services Manager (Section 151 officer).
3.2.9	Ensure that rental/lease agreements to occupy or let to tenants are not entered into without consultation with the Council's Property Manager.
3.3	Income Collection
3.3.1	Ensure Officers collect income and debt promptly and in accordance with the Council's debt management procedures, regularly reconciling it to the main financial system and to banking (see Practice Note 5 - Income collection and Debt Management procedures).
3.3.2	Arrange collection of income before or at the point of delivering the service wherever possible. This avoids losses due to non-payment.
3.3.3	Minimise the cost of processing income by limiting the use of cash and cheque payments by customers, wherever possible.
3.4	Budget Management (Preparation and Monitoring of Revenue and Capital)
3.4.1	Prepare revenue and capital estimates using the guidelines approved by Cabinet and provided by the Accountancy Services Manager (Section 151)(see 6 - Preparation of Estimates).

3.4.2	Prepare business cases for significant projects and undertake post project reviews in line with Practice Note 7.
3.4.3	Use financial information from the Council's ERP (Financial and HR Systems) and other supplementary sources to monitor and forecast current and future years' service budgets (income and expenditure).
3.4.4	Submit financial forecasts via the Council's Financial system. These submissions should be made in line with the timetable established by the Section 151 Officer. (See Practice Note 8 - Budgetary Control).
3.4.5	Identify at the earliest opportunity, and provide details to Accountancy Services of the results of, any service planning that will require additional budget provision.
3.5	<u>Fees and Charges, including setting</u>
3.5.1	<p>Existing Charges (<i>the budget guidelines approved annually by Council include a standard average rate of increase for fees and charges</i>)</p> <p>Work with Directors to set the average charges across a Directorate (as measured by price change or increase in yield) at that standard rate. If this is not possible then Council approval should be sought via Accountancy.</p> <p>There are specific delegations for fees and charges for major events in parks and regulatory Licences elsewhere in the constitution.</p>
3.5.2	<p>New Fees and Charges: Chief Executive and Directors, in consultation with the relevant Cabinet Member, can establish any new fees and charges for any service for which they are responsible, provided it is expected to generate no more than £50,000 in a full year; and where the annual income generated by the new charge is estimated to above £50,000 then approval will be required from Councillors as follows:</p> <ul style="list-style-type: none"> • £50K to £250K – Cabinet • Over £250K - Full Council
3.5.3	<p>Amendments to Fees and Charges: Chief Executive and Directors, in consultation with the relevant Cabinet Member, can amend fees and charges for which they responsible, provided that across the Council any (all) amendments generate no more than £50,000 in a full year. Changes to Fees and Charges that would be above £50,000 in a full year, require approval as follows :</p> <ul style="list-style-type: none"> • £50K to £250K – Cabinet • Over £250K - Full Council

Commented [PR2]: This a new note. Aimed at changing process of collecting business cases and follow ups. This process is still being re-developed

Commented [PR3]: The text for this rule has been simplified. Also most of the details where else-where in the constitution (under delegations pg470) but have been moved into financial rules for clarity.

Commented [PR4]: This new to provide more flexibility but also maintains accountability. It follows similar approach as supplementary estimates

3.6	<u>Grant Income</u>
3.6.1	Bids for grant income should be undertaken in consultation with Accountancy Services.
3.6.2	Ensure all expenditure is in line with grant conditions.
3.6.3	Maintain and retain requisite documentation to evidence that the grant has been properly managed in line with grant conditions.
3.7	<u>Staffing (Financial matters)</u>
3.7.1	Provide the HR Services Manager with an establishment list for all Officers in their service, including contracted hours, and inform them of anything that affects the payment of salaries or other payments as soon as possible.
3.7.2	Ensure that the formal agreement of the Human Resources and Accountancy departments has been obtained before implementing a change to the establishment (this includes grades, hours, or number of posts).
3.7.3	Obtain agreement from HR and Procurement prior to engaging consultants or interims due to the potential significant tax implications for the Council.
3.8	<u>VAT and Taxation</u>
3.8.1	<p>Ensure all financial activities are conducted in accordance with taxation requirements and all requisite supporting records are maintained and retained.</p> <p>Seek advice on:</p> <ul style="list-style-type: none"> • VAT from Accountancy Services • Construction Industry Tax from Accountancy Services • Income Tax (employer taxation) from HR Services Manager
3.9	<u>Risk Management</u>
3.9.1	Act in accordance with the Risk Management Strategy and supporting guidance.
3.9.2	Notify the Procurement & Risk Services Manager of all insurance risks and potential claims as soon as known, providing necessary documentation in a timely manner (see Practice Note 9 - Insurance and Risk Management).
3.10	<u>Matters arising from Audits</u>
3.10.1	Co-operate with Internal and External Audit reviews and queries,

	including allowing Internal Audit and External Audit to have full, free and unrestricted access to and explanations of all functions, records, property and personnel pertinent to carrying out any engagement, subject to accountability for confidentiality and safeguarding of records and information.
3.10.2	Implement mitigating actions in a timely manner when risks are identified by Internal and External Audit (or other sources), either through audit recommendations, or alternative actions agreed with Internal/External Audit.
4	<u>Responsibilities of the HR Services Manager</u>
4.1	Make payments through the payroll system to all employees or former employees of the Council.
4.2	Provide all Officers with a copy of these Financial Rules as part of their recruitment/induction process and ensure that their receipt is acknowledged and documented.
4.3	Ensure that, in accordance with the Whistleblowing Policy , where allegations of fraud or misconduct relating to financial matters are made, the Whistleblowing Officer or their deputy, the Accountancy Services Manager (Section 151) and the Procurement and Risk Services Manager are informed.
5	<u>Responsibilities of the Procurement and Risk Services Manager</u>
5.1	Oversee the corporate risk management framework, including periodic review of the Risk Management Strategy
5.2	Prepare Risk Management Reports for Management Team and Audit & Risk Committee.
5.3	Arrange the insurance programme, and review annually, to mitigate identified insurable risks.
5.4	Consult with Accountancy Services Manager (Section 151 Officer) on the financial implications of Insurance matters, including annual review of the insurance reserve.
5.5	Manage insurance claims in coordination with insurers.
5.6	Manage the approval of suppliers and oversight of the Social Value Procurement Policy.
5.7	Provide professional procurement support to all services in line with Contract Procurement Rules.
5.8	Update and maintain the Contract Procurement Rules and deliver training to Officers.

5.9	Investigate any suspected cases of fraud and corruption and inform the Cabinet Member with responsibility for Finance, Audit and Risk Committee Chair and keep the Accountancy Services Manager (Section 151) and Audit Services Manager informed of the findings of the investigation and agree the course of any investigation.
5.10	Maintain the Council's Strategy on Anti-Fraud and Corruption.
6.	<u>Responsibilities of the Accountancy Services Manager (Section 151)</u>
6.1	Prepare financial monitoring reports for Management Team, Audit & Risk Committee and Cabinet.
6.2	Prepare guidelines for and bring together the revenue and capital budgets including approval of fees and charges increases, virements, supplementary estimates and carry forwards for consideration by Full Council.
6.3	Provide guidelines for the format, content, and upkeep of all financial records and associated documents and maintain our accounting system.
6.4	Establish and maintain accounting policies and procedures.
6.5	Ensure there is robust digital ordering process,
6.6	Arrange all leases for vehicles, plant, and equipment.
6.7	Appoint and maintain banking and investment services.
6.8	Set the procedures for the collection of all money due to the Council by officers, agents or contractors and approve irrecoverable debts to be written off.
6.9	Recommend and implement treasury management decisions in line with the Council's policy statement and the Capital, Investment and Treasury strategies.
6.10	Manage the External Audit process, prepare the Annual report, Statement of Accounts and associated documents (e.g. Annual Governance Statement), in line with legislative requirements.
6.11	Review and update the Financial Rules.
6.12	Initiate disciplinary action if an employee is in breach of the Financial Rules.
7.	<u>Responsibilities of the Audit Services Manager</u>
7.1	Submit at least annually, to senior management and Audit & Risk

Commented [PR5]: Clarifies investment as well as banking

	Committee a risk based Internal Audit plan for review and approval, which is reviewed, adjusted and communicated as necessary, in response to changes to Chelmsford City Council's operations, risks, programmes, systems and controls
7.2	Ensure each engagement of the Internal Audit plan is executed, including the establishment of objectives and scope, the assignment of appropriate and adequately supervised resources, the documentation of work programmes and testing results, and the communication of engagement results with applicable conclusions and recommendations to appropriate parties.
7.3	Follow up on engagement findings and corrective action, and report periodically to senior management and the Audit & Risk Committee any corrective actions not effectively implemented.
7.4	Deliver an annual audit opinion and report that can be used by the Council to inform its governance statement. The annual opinion will conclude on the overall adequacy and effectiveness of the organisation's framework of governance, risk management and control.
7.5	Undertake work which does not contribute explicitly to the overall audit opinion. This might include certification of grant claims or consulting activities where Internal Audit provide independent and objective advice and guidance to management on risk and control issues within individual systems to improve those systems and processes where necessary.
8.	<u>Responsibilities of the Elected Members</u>
8.1	Act in accordance with the requirements of the Constitution and in particular the personal responsibilities placed on them by the Councillor's Code of Conduct in Part 5.1 of the Constitution.

APPENDIX 1

	<p style="text-align: center;"><u>Virements and Supplementary Estimates</u></p> <p>General Principles</p> <p>These principles form the basis of the Virement and Supplementary estimate rules:</p> <ul style="list-style-type: none"> i. Annually the Council will approve service budgets. ii. The purpose of the rules governing changes to approved budgets is to ensure key decisions are scrutinised effectively. iii. Changes to budgets that result from the transfer of functions between Directorates do not need formal approval. iv. Changes to budgets that do not impact on the objectives set by Council should where possible be dealt with under delegation. The financial limits on budget changes support this objective. v. Journals must not be used to reduce expenditure to match budgets on individual codes, nor should orders made against an inappropriate code, as this distorts the true budget position, does not reflect accurately expenditure and lacks appropriate authorisation. vi. When seeking approval for new budgets or changes of use of existing budgets, officers must provide sufficient information to give transparency to members as to the nature of spend but balanced with providing flexibility to amend details to achieve the outcome desired by members.
V1	Virements
V1.1	A virement is an individual movement between lines in the approved budget and is an essential feature of budgetary control, allowing Directors and Cost Centre managers to maintain their budgets with flexibility to react to the changing patterns of spend or unforeseen cost increases or income reductions.
V1.2	<p>Virement limits and by whom the authorisation can be given are reviewed annually and are currently set as shown below and apply to capital and revenue:</p> <ul style="list-style-type: none"> i. <u>Up to and including £25,000</u> by Directors who must inform Financial Services ii. <u>Over £25,000 and up to £200,000</u> by Directors, subject to prior consultation with the Section 151 Officer, the relevant Service Cabinet Member and the Cabinet Member with responsibility for finance iii. <u>Over £200,000 and up to £1,000,000</u> by Cabinet report

Commented [PR6]: This was £5k, increased to £25k to encourage greater flexibility. When faced with additional costs in one area, virement should be considered before requesting additional funding.

	<ul style="list-style-type: none"> iv. <u>In excess of £1,000,000 – by Full Council</u> v. <u>Virements to allocate approved centrally held budgets to Services, can be undertaken by the Section 151 Officer.</u>
SE1	Supplementary Estimate
SE1.1	A supplementary estimate is a permission to increase or reduce the approved budget to fund additional expenditure. Approval for a supplementary estimate must be sought before the expenditure can be incurred.
SE1.2	<p>Supplementary estimate limits and their authorisation levels are set as shown below and apply to capital and revenue:</p> <ul style="list-style-type: none"> i. <u>Up to and including £200,000</u> by Directors, subject to prior consultation with the Section 151 Officer, the relevant Service Cabinet Member and the Cabinet Member with responsibility for finance ii. <u>Over £200,000 and up to £1,000,000</u> by Cabinet report iii. <u>Over £1,000,000</u> by Full Council
	<p>On completion of the authorisation process, the appropriate Shadow Cabinet Member will be provided with details of all Virements and Supplementary estimates over £50,000.</p>

Commented [PR7]: This should be part of key decisions/ executive decisions process. This process will be overhauled to improve transparency.

APPENDIX 2

List of Practice Notes

- Practice Note 1 -Assets
- [Practice Note 2](#) - Fraud and Corruption
- Practice Note 3 - Ordering
- Practice 4 – Contracts, External Partners and Third Party Working
- New Practice Note 5- replaces Appendix 2 on partnerships/ sponsorship ?
- Practice Note 6 - Income collection and Debt Management procedures.)
- Practice Note 7 - Preparation of Estimates
- New Practice Note 8 – Projects
- Practice Note 9 - Budgetary Control
- Practice Note 10 - Insurance and Risk Management)

Commented [PR8]:

PART 5.4

MAYORAL PARTY RULES

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5.4.0 **GENERAL PRINCIPLES**

5.4.0.1 These Rules establish the principles under which the Mayoral Party will carry out their duties and responsibilities. In particular the Party must observe Part 2, Article 5 of the Council's Constitution, the Council Procedure Rules in Part 4.1 of the Constitution and the [Mayoral Party Protocol](#), which has the status of a Practice Note for the purposes of the Constitution.

5.4.0.2 The Mayor will be responsible for the interpretation of the Constitution as set out in Part 2, Article 16 thereof.

5.4.0.3 Administrative and organisation support will be provided to the Mayoralty by the Council and is referred to in these Rules as the Mayor's Office.

5.4.0.4 The role of the Mayoral Party, its responsibilities and guidance on the appropriateness of any duties to be undertaken will be dealt with at the Mayoral Working Group. The following will attend its meetings:

- a) Mayor
- b) Deputy Mayor
- c) Leader of the Council
- d) Opposition representative(s)
- e) Chief Executive
- f) Mayor's Office representatives
- g) The Mayor [and Deputy Mayor](#) designate (to receive guidance for the forthcoming year)

5.4.0.5 In particular, the Mayoral Working Group will regularly consider issues arising in relation to:

- a) The interpretation of and changes required to the Mayoral Party Rules and Mayoral Party Protocol
- b) Mayoral Engagements
- c) Civic Events
- d) Honorary Freeman and Freedoms
- e) Town Twinning

Role of the Mayoralty

5.4.0.6 The Mayor is the First Citizen of the City and will personally carry out the duties of the Mayoralty as far as is reasonably practical.

Role of the Deputy Mayor

5.4.0.7 The role of the Deputy Mayor is to deputise for the Mayor when the latter is not available to attend a function or if there is more than one invitation for the same date and time. The Deputy Mayor's role is not to act as Mayoral support.

- 5.4.0.8 When the Mayor is unavailable to attend a function and the Deputy Mayor is required to attend, then the Deputy Mayor will have use of the Civic Car and chauffeur. All other transportation arrangements should be organised through the Mayor's Office.

5.4.1 **NEUTRALITY**

- 5.4.1.1 The Mayoral Party represents the whole City during the term of office. The Mayor, and Deputy Mayor, will therefore during their year of office and whilst acting in this official capacity:

- a) Maintain political neutrality
- b) Chair Council meetings with absolute impartiality
- c) Ensure that a fellow ward or adjoining ward Councillor is available to deal with certain aspects of Council business
- d) As far as is reasonably practical, not attend party political functions in the role of the Mayor or Deputy Mayor.

5.4.2 **FORM OF ADDRESS**

- 5.4.2.1 The usual form of address for the Mayor is "Mr Mayor", if male, and "Madam Mayor", if female. The Deputy Mayor is addressed as "Deputy Mayor". All Officers of the Council are expected to address the Mayor formally.

- 5.4.2.2 There are also prescribed forms of address to be used when speaking to or addressing visiting dignitaries. The Mayor's Office will ensure that the appropriate form of words is identified before any such engagement takes place or correspondence entered into.

5.4.3 **ATTIRE AND USE OF THE MAYORAL REGALIA**

- 5.4.3.1 The type of attire required at any occasion will be determined by the type of function to be attended and as explained in the Mayoral Party Protocol Practice Note.

- 5.4.3.2 The Mayor and Deputy Mayor will wear the formal Regalia and Chains of Office on the following occasions:

- a) All meetings of the Council.
- b) The Civic Service.
- c) Remembrance Sunday.
- d) The Justice Service.
- e) Visits of Royalty (unless otherwise requested).
- f) Such other occasions as will be agreed by the Mayoral Working Party.

5.4.3.3 The Regalia of Office means the gown, jabot, gloves, hat and Ceremonial Chains of Office or the Mayoral/Day Chain. The Mayor's Office will advise the Mayoral Party on the appropriate form of dress for a particular event or occasion.

5.4.4 **EVENTS**

5.4.4.1 There are four main categories of event as set out below. The number of each and protocol to be used at each category differ and details are contained in the Mayoral Party Protocol Practice Note:

- a) Annual Civic events;
- b) Those promoted or organised by the Council, or the Mayor, or at which either act as hosts;
- c) Those which the Mayor is expected to attend; and
- d) Those which the Mayor may be invited to attend.

Annual Civic Events

5.4.4.2 The guest lists, selection of speakers and sequence of speeches at Civic events will be determined by the Mayor, in consultation with the Mayoral Working Group.

Events Promoted by the Council or the Mayor

5.4.4.4 The Mayor will normally be invited to officiate at all events or occasions of major civic significance, but is not required to be involved in all Council promoted events.

5.4.4.5 Where attendance of the Mayor, and/or other members of the Mayoral Party is required, the organiser of the event will arrange an adequate and timely briefing through the Mayor's Office.

Arrangements for inviting the Mayor to Events

5.4.4.6 Invitations for the Mayor to attend functions are for the Mayor and other members of the Mayoral Party only.

5.4.4.7 Formal invitations must be made through the Mayor's Office. If accepted, the invitation will be confirmed and an acceptance letter and engagement form will be sent to the inviting party for completion, which must be returned to the Mayor's Office.

5.4.4.8 This procedure shall apply equally to events organised by Council departments as well as those from external organisations or individuals.

5.4.4.9 Engagement lists showing forthcoming engagements will be prepared on a regular basis. They will include details of the events, the date and time of each engagement, and the organisation and venue for each event the Mayoral Party is attending. The lists will be distributed to:

- a) The Mayor and the Deputy Mayor;
- b) Council officers, the police, and local & national media sources as appropriate.

Visits Outside the City

- 5.4.4.10 It is customary for the Mayor's Office to seek the permission of the "host" authority for the Mayor (or a member of the Mayoral Party, as appropriate) to wear the chain or badge of office. Conversely, a Mayor or Chair of another authority attending a function in the City of Chelmsford will seek permission from the Mayor's Office to wear their chain or badge of office.

Precedence

- 5.4.4.11 When a Royal visit is to take place in the City's area, the following rules will be applied as to which dignitary takes precedence and the order of precedence.

- a) On official Royal visits to the county the Chair of the County Council takes precedence before the Mayor and on such occasions the order of presentation by the Lord Lieutenant to the Royal visitor will normally be:
 - i. Lord Lieutenant's partner
 - ii. High Sheriff and partner
 - iii. Chair of County Council and partner
 - iv. County Chief Executive and partner
 - v. Mayor and their partner
 - vi. District (City) Chief Executive and partner
 - vii. Member of Parliament and partner
 - viii. Chief Constable and partner
 - ix. the principal organiser of the event to which the visit is being made
 - x. Other necessary presentations may be deputed to the organiser.
- b) Where there is a Royal official visit to the City and the event or matter relates to the functions of the City Council the order of presentation by the Lord Lieutenant to the Royal visitor will normally be:
 - i. Lord Lieutenant's partner
 - ii. High Sheriff and partner
 - iii. Mayor and their partner
 - iv. District (City) Chief Executive and partner
 - v. Chair of County Council and partner
 - vi. County Chief Executive and partner
 - vii. Member of Parliament and partner
 - viii. Chief Constable and partner
 - ix. the principal organiser of the event to which the visit is being made

Other necessary presentations may be deputed to the organiser.

5.4.5

EXPENSES OF THE MAYORALTY, GIFTS AND HOSPITALITY

- 5.4.5.1 The Mayor and the Deputy Mayor shall each receive a personal allowance to meet expenses incurred by them and their partners because of their official duties. This will be approved as part of the Member's Allowance Scheme.
- 5.4.5.2 A specific budget will be set annually for the costs of managing and administering the Mayoral functions as part of the Council's normal budget approval procedure. It will be administered by the Mayor's Office.
- 5.4.5.3 If the Mayoral Party receive gifts during the term of office from organisers of events or from visitors to the Parlour these must either:
- a) Be recorded in the Register of Civic Gifts (held by the Mayor's Office) and kept in the Mayor's Parlour; or
 - b) Declared as a gift in accordance with the requirements of the Code of Conduct for Councillors as set out in Part 5.1 of the Constitution.
- 5.4.5.4 Any hospitality received by the Mayoral Party during their year of office must also be notified to the Mayor's Office and recorded in accordance with the requirements of the Code of Conduct for Councillors as set out in Part 5.1 of the Constitution.
- 5.4.6 **USE OF THE CIVIC CAR**
- 5.4.6.1 Where appropriate the Council will provide a Civic Car or other transport for the Mayoral Party for official business. The Civic Car may be used for other purposes but only when authorised in advance by the Chief Executive.
- 5.4.6.2 The use of the Civic Car will normally be limited to transporting members of the Mayoral Party to and from engagements taking place other than at the Civic Centre. A specific exception applies where transport is required for the purpose of attending meetings of the Council.
- 5.4.7 **THE MAYOR'S CHARITY**
- 5.4.7.1 The role of Mayor is a civic office. Charitable work can be undertaken by the Mayoral Party but should be regarded as incidental to and not a major function of the Mayoralty.
- 5.4.7.2 A Mayor may choose to nominate a charity or charities to receive Mayoral support during the year. The organisation of any charitable events or liaison with the charitable organisations chosen will not be organised by the Mayor's Office.
- 5.4.7.3 The Mayoral Party must inform the Mayor's Office of any engagements associated with the nominated charity to ensure that there is no conflict with civic events, which will take precedence.

- 5.4.7.4 A separate bank account must be opened to be administered by the Mayor, Mayoress, other nominated councillor or person to ensure that any charitable monies received can be accounted for. Any expenses incurred on behalf of the Mayor's charity should be made from the Mayor's charity account. No Council officer will be involved with the administration of the Charity account. A summary of the financial position on the Charity account will be provided to the Mayoral Working Group twice a year.

5.4.8 **PATRONAGE AND OTHER SUPPORT**

- 5.4.8.1 The Mayor, by virtue of the office, may be a Patron, President or Member of a number of organisations during the year of office. The Mayor must not personally agree to invitations to act as patron as this may put the Council in a difficult situation.
Any request for such support of patronage should be made to the Mayor's Office and approval must be officially agreed through that office.

5.4.9 **SPIRITUAL SUPPORT**

- 5.4.9.1 The Mayor may appoint a suitable person to provide spiritual support for the Mayoral functions during the Mayor's term of office. The person appointed would normally be someone who is an official of a religious group, reflecting the Mayor's own religion.
- 5.4.9.2 The person appointed may act as a focal point for religious groups in the area, advise the Mayor on spiritual matters and assist the Mayor to understand and lead all sections of the community.
- 5.4.9.3 The person appointed will normally conduct prayers at the start of a meeting of the Council. It will not be seen as a sign of disrespect to the Mayor if members of the Council and any public attending the meeting do not wish to participate in the prayers and do not enter the room in which the meeting is being held until after they have finished.

5.4.10 **CORRESPONDENCE AND SEALING OF DOCUMENTS**

- 5.4.10.1 All correspondence addressed to the Mayor, but which relates to the business of the Council, will only be acknowledged by the Mayor's Office on behalf of the Mayor. It will then be passed for detailed reply or action to the relevant Director, Executive Member or Committee Chair as appropriate.
- 5.4.10.2 Arrangements for the Mayor or Deputy Mayor to witness the affixing of the Council's seal to any document will be organised through the Mayor's Office.

MAYORAL PARTY PROTOCOL



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1. **GENERAL PRINCIPLES**

Role of the Mayoralty

- 1.1 These notes are intended to help the Mayor and members of the Mayoral party to understand some of the intricacies and issues that may arise during a term of office.
- 1.2 As the First Citizen of the City, The Mayor personally and through the use of the Mayoral Insignia and traditions of the Office, has the prestigious role of representing the whole City during their term of office. As its representative, they can influence public perception and enhance the image of the Council.
- 1.3 It must be remembered that undertaking the role of Mayor is a Civic Office and not a personal one. When fulfilling engagements, the Mayor has the opportunity to act as a link between the various groups and organisations visited and has a unique overview of the needs and concerns of the community they serve. The Mayor is also in a position to take out to the community the message and aims of the Council. When attending functions great care must be taken about making any comments or passing any remarks that may be construed as being City policy. Equally, it is important not to commit the Council in any way or to incur any funding without reference to the Chief Executive or Cabinet Member(s). In particular, the Mayor should not extend invitations to individuals or organisations that might not be in the best interests of the Council.
- 1.4 Advice on the roles, responsibilities processes and procedures related to the Mayoralty is also available from the ~~the~~ Mayor's Office, which provides consistency and continuity and helps to ensure that it is a successful year.

Role of Deputy Mayor

- 1.5 The role of the Deputy Mayor is to deputise for the Mayor when the latter is not available to attend a function or if there is more than one invitation for the same date and time. For this reason, the Deputy Mayor should endeavour not to be away or otherwise unavailable at the same time as the Mayor, e.g. Town Twinning visits. The Deputy Mayor's role is not to act as Mayoral support or to make up a Mayoral party. Under no circumstances should staff be asked to obtain additional tickets should the Mayor wish the Deputies to accompany them to a function, or vice versa.
- 1.6 There will be several functions during a year to which all or specific members of the Mayoral party are invited. Equally, it may be that the Mayor will wish to pass to the Deputy Mayor an invitation that it may be more sensible for them to attend because of their special interest.
- 1.7 When the Mayor is unavailable to attend a function and the Deputy Mayor is required to attend, then the Deputy Mayor will have use of the civic car and Chauffeur.

1.8 However, if the Deputy Mayor is attending a function at the same time as the Mayor, then it will be normal practice for the Deputy Mayor to drive them self to the event.

1.9 On occasions, owing to the nature of the event e.g. a Civic service, it may be more appropriate for the Mayor's Office to arrange a chauffeur driven car to be hired for the Deputy Mayor.

2. NEUTRALITY

2.1 The Mayoralty will traditionally adopt a neutral role in Council affairs. The Mayor will be expected to take the Chair at Council meetings in absolute impartiality. Councillors will support the Mayor in this, and respect their neutral position.

2.2 It may be advantageous to ask a fellow ward or adjoining ward Councillor to deal with certain aspects of Council business during the Mayor's year of office.

2.3 It is important that (so far as possible) Mayors are non-political and should not attend party political functions as Mayor.

3. FORM OF ADDRESS

3.1 As set out in the Mayoralty Rules, the usual form of address for the Mayor is "Mr Mayor" if male and "Madam Mayor" if female. Staff are expected to address the Mayor formally. The Mayor's partner will be addressed as "Mayoress" or "Mayor's Consort". The Deputy Mayor will be addressed as "Deputy Mayor" and the Deputy Mayor's partner would be addressed as "Deputy Mayoress" or "Deputy Mayor's Consort".

4. ATTIRE AND USE OF THE MAYORAL REGALIA

4.1. The Office of Mayor is a formal role, like the Lord Lieutenant and High Sheriff, and casual clothes are inappropriate when the Chain is worn. The type of dress to be worn at functions is usually given on the engagement form or invitation and, if very formal, will be included on the invitation card. It is hoped that Ladies in the Mayoral party will wear hats at some functions, e.g. in the presence of Royalty or when the Lord Lieutenant is attending as the Queen's representative (investitures, Queen's Award for Industry, etc). Members of the Mayoral Party should never be afraid of being over-dressed – much better than appearing under-dressed.

4.2 Male Mayors, for most occasions, should wear a dark suit with a white/light coloured shirt and tie. For less formal occasions, for example when taking part in charity walks etc. it may be acceptable to be more casually dressed, e.g. in a jacket rather than suit. On such occasions the Mayor should wear the badge and corporate collarette rather than the Chain of Office. The Chain should always be worn over a jacket and never in short sleeves. The Mayor should only be without a jacket if the weather/heat means it is unsuitable. On occasions where the

Mayor has had to resort to short sleeves, the badge and corporate collarette should be worn.

- 4.3 Female Mayors should similarly be formally dressed and will, in any case, find that the chain will 'sit' better on a jacket or coat of heavier material. The chain itself is too heavy to wear properly and comfortably over lightweight materials.
- 4.4 If unsure the Mayor should consult the Mayor's Office for advice on the appropriate form of dress for a particular event or occasion.
- 4.5 Experience has shown that prolonged wearing of the chain will result in some discomfort as the longer it is worn, the heavier it will seem to become. It may be that wearing the badge on the corporate collarette is more appropriate. Please seek advice from the Mayor's Office if required.
- 4.6 The engagement sheet will give instructions as to whether the Chains/Badge and corporate collarette should be worn and Appendix A gives further guidance on the wearing of the Civic Regalia. It should be noted that only those members of the mayoralty sworn in at Annual Council can wear the badges. If the Mayor or Deputy is escorted at an event by a guest who is not their partner/was not sworn in at Council, then they do not wear a badge of office.

5. **EVENTS**

- 5.1 These are divided into four main categories as follows. Additional details as to what is expected and how the events will be organised is also provided below.

- a) annual civic events;
- b) those promoted or organised by the Council, or the Mayor, or at which either act as hosts; and
- c) those which the Mayor is expected to attend;
- d) those which the Mayor may be invited to attend.

Annual Civic Events

- 5.2 There are a number of annual civic events that are organised by the Mayor's Office and it is important to realise that these are Civic events and not the Mayor's events. Further details of the Civic Events can be found in Appendix B, paragraph 7, but these include:

- a) Reception after the Annual Meeting
- b) Civic Service
- c) Remembrance Sunday
- d) Tree Planting
- e) Christmas Reception
- f) Civic ~~LunchDinner~~
- g) Community Evening
- g)h) ~~Civic Carol Service~~

- 5.3 For Civic Events, guest lists, speakers and the sequence of speeches, where appropriate, will be agreed by the Mayoral Working Group.

Events Promoted by the Council or the Mayor

- 5.4 The Mayor is not expected to be involved in all Council promoted events. It is, however, well established that the Mayor (together with the relevant Cabinet Member) will be invited to officiate in all major “openings”, “unveilings” and other special occasions of major civic significance. Less significant events, e.g. a cheque presentation, are often more appropriately dealt with entirely by the relevant Cabinet Member although the Mayor may, for various reasons, also become involved in such events.
- 5.5 When an event is identified as one in which the Mayor is to be involved, the organising Council officer should liaise with the Mayor’s Office with regard to the planning of the event.
- 5.6 The Mayor’s involvement in Council sponsored events can be as “host” or as “guest” but it is not usual for the Mayor to be a guest when the event takes place in the Mayor’s Parlour.
- 5.7 Council promoted events attended by the Mayor can vary widely and it is not possible to prescribe the procedures that will meet all occasions but guidance which covers most eventualities is found at Appendix B. The following are categories most typically encountered:
- a) events at which the Mayor is to unveil;
 - b) events at which another VIP is to unveil;
 - c) events at which a joint unveiling is to take place;
 - d) events in the Mayor’s Parlour;
 - e) events away at Council owned venues;
 - f) visits to Chelmsford by VIPs.
- 5.8 In all cases, the organiser of an event should ensure there is an adequate and timely briefing of the Mayor and others taking an active part in proceedings.

Events which the Mayor is expected to attend

- 5.9 There are a number of external annual events which the Mayor is expected to attend on behalf of the City and the most important of these are included under Paragraph 8 of Appendix B.

Events which the Mayor may be invited to attend within Chelmsford

- 5.10 The number of engagements fulfilled by a Mayor is not an indication of quality. The Mayoralty must not seek out invitations. The soliciting of invitations does neither the office of the Mayor nor the Mayoralty any credit. If the invitation provides more than one date, then the Mayor must chose a date to attend; alternative dates cannot be offered to the Deputy Mayor.

- 5.11 Invitations for the Mayor to attend functions are for the Mayor and other members of the Mayoral Party only. It is not expected that other family members or friends will attend unless specifically invited; soliciting invitations for family members or friends will not enhance the status and reputation of the office. It is potentially embarrassing for the organisation involved or for Council staff who may be asked to arrange for such invitations to be extended.
- 5.12 Most invitations will usually start with a telephone call/email to the Mayor's Office to ascertain if the Mayor is free on a certain date and time; this will be pencilled in the diary and the enquirer will be asked to send a written invitation to the Mayor's Office. This will then be considered by the Mayor and the Mayor's Office and if accepted will be confirmed in the diary. An engagement form is then sent to the inviting party for completion and should be returned to the office no later than 14 days prior to the event.
- 5.13 This procedure applies equally to events organised by other Council Services. If officers approach the Mayor with an invitation to attend an event, the officer should be asked to refer the request to the Mayor's Office so that all necessary procedures can be followed.
- 5.14 Mayors and Deputy Mayors must not accept invitations personally. The Mayor's Office has produced business cards, which may be handed to those wishing to invite the Mayoralty to an event. The Mayor's Chauffeur will have these available.
- 5.15 It is important that Mayors and Deputy Mayors arrive for functions at the appointed time. Late and early arrivals are to be avoided. Close liaison with the Chauffeur and reference to the engagement form is necessary to achieve precise timing whenever possible. The Mayoral Party should not get out of the Civic Car until the Chauffeur has ensured that those who have been nominated to receive the Mayoral Party are in place and the Chauffeur can, therefore, hand custody of the Mayoral Party over to the host of the event.
- 5.16 The Mayor's Office occasionally receives requests for the Mayor to send a card to mark a special birthday or anniversary. The Mayor's Office will make the necessary arrangements for this. It may also be that the Mayor is invited to attend a function to mark the special day and the normal protocol would be to accept invitations to Diamond (60th) Wedding Anniversaries but not Golden (50th) Anniversaries and similarly to attend 100th Birthday celebrations but not a 90th Birthday party, unless the person or persons concerned are a friend of the Mayor.

Visits outside the City

- 5.17 The Mayor's office will sometimes receive invitations to events outside of the Chelmsford area. If the event has no direct links to Chelmsford then these will usually be declined. The exception would be the Queen's Garden Party (if the Mayoralty have never attended before), civic functions held by the principal neighbouring Mayors/Chair of Essex and the Costermongers event in London.

- 5.18 Invitations received by the Town/Parish Mayors/Chair outside of Chelmsford will be declined. Only invitations from South Woodham Ferrers Town Council will be accepted.
- 5.19 If the Mayor attends a function outside of Chelmsford it is customary for the Mayor's Office to seek the permission of the "host" authority for the Mayor (or a member of the Mayoral party, as appropriate) to wear the chain or badge of office.
- 5.20 Conversely, a Mayor or Chair of another authority attending a function in the City of Chelmsford will seek our permission to wear their chain/badge. Permission would normally be given for the visiting dignitary to wear the same regalia as our Mayor, if in attendance e.g. if the Mayor of Chelmsford is in attendance then other Mayors can wear their chains, however if the Deputy Mayor is in attendance then other Mayors will be asked to wear their badge of office.

Precedence

- 5.21 The question of precedence on the occasion of a Royal visit has often been the subject of comment and enquiry. Section 3(4) of the Local Government Act 1972 established the precedence to be enjoyed by the Chair (Mayor) of District (City) Councils but did not prejudicially affect the exercise of the Royal prerogative in this connection.
- 5.22 The legislation provides that "the chair of a district council shall have precedence in the district, but not so as prejudicially to affect her Majesty's royal prerogative."
- 5.23 Therefore where a City (District) matter is the purpose of a Royal visit to a county, the Mayor (Chair) of the City (District) will take precedence as provided in that section. Her Majesty has, however, made it clear that on other official Royal visits to a county the order or precedence should place the Chair of the County Council before the Chair (or Mayor) of the City (District) Council. On such an occasion the order of presentation by the Lord Lieutenant to the Royal visitor will normally be:
- a) Lord Lieutenant's spouse
 - b) High Sheriff and spouse
 - c) Chair of County Council and spouse
 - d) County Chief Executive and spouse
 - e) Mayor (Chair) or City (District) Council and spouse
 - f) City (District) Chief Executive and spouse
 - g) Member of Parliament and spouse
 - h) Chief Constable and spouse
- 5.24 After these presentations, the Lord Lieutenant will present the principal organiser of the event to which the visit is being made and other necessary presentations may be deputed to the organiser.

- 5.25 Her Majesty has ruled that these arrangements should apply also to official visits by those members of the Royal Family styled His or Her Royal Highness and their spouse.

How to Address Dignitaries at Events

- 5.26 When addressing dignitaries verbally, it is considered acceptable to refer to them by their title. This protocol is also acceptable when referring to them in conversation when the word "The" will precede the title, e.g. The Lord Lieutenant, The Bishop (of.....).
- 5.27 Any queries about forms of address prior to attending an event, or for correspondence, should be addressed to the Mayor's Office who will be happy to provide guidance.

Organisation of Engagement paperwork

- 5.28 Each week an engagement list showing the following two weeks' engagements is prepared. This gives information on the date, time and venue of each engagement, the organisation and the time of collection by the Chauffeur.
- 5.29 Engagement lists are ~~delivered~~emailed to the Mayor and the Deputy Mayor each week, together with copies of engagement forms and supporting documents for the coming week. A copy is also given to the Chauffeur with any invitation cards/tickets/car parking passes that may be required. Lists are also distributed to a number of Council officers, councillors, CCTV, the police, local press, radio and television.

6. EXPENSES OF THE MAYORALTY, GIFTS & HOSPITALITY

- 6.1 The Mayor and the Deputy Mayor each receive a personal allowance which is intended to meet expenses incurred by the Mayor and spouse, the Deputy Mayor and spouse by virtue of the office, e.g. clothing, footwear, wardrobe necessities, accessories, hairdressing, spending at the many fund-raising events attended during the year, occasional gifts, gratuities, and visits to twinning partners, etc.
- 6.2 When the Mayoralty is required to provide their own transport to official engagements, and they are attending in the capacity as the Mayor or Deputy Mayor, then they will be entitled to claim for the mileage expenses in accordance with the relevant provisions of the Member's Allowances Scheme.
- 6.3 However, when the Mayoralty attend functions which are not classified as official functions and where they are not required to wear any regalia e.g. weekly meetings, Mayoral Working Group meetings, Council meeting rehearsals etc, then mileage claims cannot be made.
- 6.4 The major costs of civic entertaining and hospitality are met from the Hospitality Budget that is administered by the Mayor's Office.

Gifts

- 6.5 During the Mayor's term of office it is likely that gifts will be received from organisers of events or from visitors to the Parlour. It must be remembered that these gifts belong to the City and will be recorded in the Register of Civic Gifts (held by the Mayor's Office, the Chelmsford Museum will also need to log all items) and are kept in the Parlour.

Use of the Civic Car

- 6.6 The civic car is for the use of the Mayor, Deputy Mayor and their escorts. It is not available to transport other members of the Mayor's or Deputy Mayor's family, friends or guests, except in very special circumstances.
- 6.7 There may be occasions when the car is required for other civic use such as Ministerial visits, meeting VIPs at airports, etc. The car will only be used on such occasions if it is not required for use by the Mayor or Deputy Mayor and such use will require approval from the Chief Executive.
- 6.8 In connection with external engagements, the Chauffeur will collect the chain(s) from the Civic Centre. At the conclusion of the function the Chauffeur is responsible for returning the chain(s) to the Civic Centre. There may be an occasion when it is necessary for the chains to be retained overnight, e.g., overseas visits, town twinning, overnight visits. In such cases, the Mayor's Office will inform the [Section 151 Officer](#)~~Director of Financial Services~~ for the Council's insurers to be notified.
- 6.9 It is normal for the Mayor and Mayoress to require assistance in becoming attired. The Chauffeur (and macebearer, if present) usually provides this assistance.
- 6.10 The Civic Car is for the use of the Mayor and Deputy Mayor and their Escorts to transport them to and from engagements (see paragraph 2 in connection with the use of the Civic Car by the Deputy Mayor).
- 6.11 However, for functions and meetings taking place at the Civic Centre, the Mayor and Deputy Mayor will normally be expected to drive themselves. The exception to this will be for meetings of the Council.
- 6.12 The pendant/flag is only to be used when the Mayoral car is carrying the Mayor or the Deputy Mayor. For security reasons the shield should be removed from the car once it is parked and should not be used on the car when speeds of 50mph will be exceeded.
- 6.13 The Deputy Mayor is provided with a shield for the top of their own car on the occasion that the Mayor is attending an alternative function and the Deputy is therefore representing the Mayor and driving them-self. For security reasons the shield should be removed from the car once it is parked and should not be used on the car when speeds of 50mph will be exceeded.

- 6.14 Please note that if the Mayor and Deputy are both attending the same function then only the Mayoral car should display the shield (and flag).

7. **THE MAYOR'S CHARITY**

- 7.1 The role of Mayor is a civic office and not a fund-raising one and any charitable work should be regarded as an incidental and not a major function of the Mayoralty. A Mayor may choose to nominate a charity (or sometimes two) to receive mayoral support during the year but it must be remembered that Civic Services staff should not be asked to assist with the organisation of any charitable events. However, the Mayor's Office should be informed of fund-raising events organised by the Mayor's charity.
- 7.2 The Mayor would be well advised to form a small working group with the charity to organise various fund-raising events using their name. The Mayor's office will be able to give guidance on using a separate bank account for all charity funds. This account will be administered by the Mayor, Mayoress or charity to ensure that any monies received can be accounted for. Any expenses incurred on behalf of the Mayor's charity should be made from the Mayor's charity account.

- 7.3 ~~7.3~~ It has become the custom in recent years for the Mayors/Chair of other Essex Authorities to invite the Mayor to attend fund-raising events in support of their own charities. Such invitations should be declined as they are of no relevance to the Office of Mayor of Chelmsford. However, if the Mayoral party wishes to support such an event, it is suggested that a personal donation is made to the charity. Sometimes Charity events are promoted as Civic events which can make it difficult to determine whether the Mayoralty should attend. The Mayoral Working Group agreed that if a monetary payment to a charity is required then this would be classed as a charity function and should be declined.

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- 7.4 ~~Whilst it is not the role of the Council to be involved in the day to day administration of the Charities account, it is desirable that there be an overview of the financial position on the account during the Mayoral year. It has been agreed that the Mayoral Working Group should perform that role by receiving twice-yearly reports on income and expenditure within the account to enable a degree of independent monitoring.~~

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8. **PATRONAGE AND OTHER SUPPORT**

- 8.1 The Mayor, by virtue of the office, may be a Patron, President or Member of a number of organisations during the year of office. These include:
- a) President Chelmsford Theatre Association
 - b) President Town Twinning Association
 - c) President Chelmsford Silver Band

- d) Patron Chelmsford French Circle
- e) Patron Chelmsford and North Essex British Limbless Ex-Service Men's Association (BLESMA)
- f) Trustee John Henry Keene Memorial Homes
- g) Custodial Trustee Chelmsford Cathedral Appeal

8.2 The most active of these is the John Henry Keene Memorial Homes Trust, which meets four times a year. Mayors are asked to return to the office for filing agenda, minutes and other papers from meetings attended as Patron, etc, so that their successors can have background information.

8.3 The Mayor is specifically requested not to agree to invitations to act as patron as this may put the Council in a difficult situation.

9. **MAYOR'S SPIRITUAL SUPPORT**

9.1 The Mayor may appoint a suitable person to act as the Mayor's Chaplain during the Mayor's term of office. The Chaplain would normally be someone who is an official of a religious group, reflecting the Mayor's own religion.

9.2 Irrespective of the Mayor's personal beliefs, it is undoubtedly worthwhile for a Chaplain to act as a focal point for religious groups in the area and to advise the Mayor on religious matters. Whatever religion the Chaplain comes from, what is important is that the support given to the Mayor helps the Mayor to understand and lead all sections of the Community.

9.3 The Mayor's Chaplain will be expected to open all meetings of the Council with suitable prayers and attend/officiate at the following planned events:-

- a) Civic Service
- b) Remembrance Sunday Parade and Service
- c) Tree planting
- d) End of Term Service

9.4 The Mayor's Chaplain may also be invited to attend other events during the year at the request of the Mayor.

10. **CORRESPONDENCE AND SEALING OF DOCUMENTS**

Speeches and Letter Writing

10.1 The engagement form or original invitation will give an indication as to whether the Mayor will be asked to make a speech. Most speeches will be relatively short and informal – words of welcome, appreciation or thanks at the start or conclusion of a function. However, the Mayor should ensure that the words have meaning and substance stating, for instance, what was gained from the event or why it was so enjoyable; other functions may require a longer, more formal speech.

Mayors are expected to write their own speeches but background information is often supplied by the inviting party or the Mayor's Office.

10.2 Mayors will also be asked to:-

- a) write "thank you" letters after engagements;
- b) write a foreword or letter for certain publications;
- c) write letters of greeting to mayors of overseas towns being visited by local organisations;
- d) send messages to members of the Royal Family or others on special occasions.
- e) write letters of condolence;
- f) make their own arrangements if they wish to keep a scrapbook.

10.3 Care should be taken when writing correspondence so as not to commit the Council to any action or expenditure without consultation with the Mayor's Office. Correspondence should be written on the Mayoral stationary which can be obtained through the Mayor's Office.

Correspondence

10.4 All correspondence addressed to the Mayor is normally delivered to the Mayor's office and opened by the Civic Services Manager. Mayors will be asked to give guidance on the opening of items marked private, confidential or personal.

10.5 Any correspondence addressed to the Mayor, which relates to the business of the Council, should be acknowledged by the Mayor's Office and then passed to the relevant Manager/Director for a detailed reply/action.

Sealing of Documents

10.6 The Mayor is one of two signatories to the many documents to be signed on the Council's behalf each year. Mayors are also expected to sign/seal letters or forms of residence, etc required by foreign governments for, inter alia, the payment of pensions to their nationals living in the City. These signatories are done weekly and usually take place during the weekly meeting with the Mayor's Office. It is usual for correspondence, engagements, etc to be dealt with at the same time (see below). The Civic car is not provided to transport the Mayor to these weekly meetings.

11. TOWN TWINNING

11.1 The Town Twinning Association is responsible for twinning arrangements with other towns and during the course of the year there may be requests for the Mayor to attend events in either Annonay or Backnang. Some of these requests may be from the Twinning Association either locally or in Annonay or Backnang.

11.2 Invitations to the Mayor should come from the Mayor of Annonay or Backnang and not the Twinning Association and a clearly defined Civic objective for the visit

should be established. The invitation will then be taken to the Mayoral Working Group who will determine if the visit is appropriate.

11.3 Those in the Mayoral Party participating in visits to Chelmsford's twinning partners would normally be expected to meet the costs associated with those visits, including travel, accommodation and subsistence.

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12. MAYORAL OFFICE & SUPPORT STAFF

12.1 The following staff of the Mayoral Team provide, where possible, day to day support for the Mayoralty and to members of the Council generally:

- a) Civic Services Manager
- b) Mayor's Chauffeur & Macebearer

12.2 Attention is drawn to paragraph 13 where it is emphasised that staff resources are not available for significant fund-raising activities.

13. USE OF THE MAYOR'S PARLOUR

13.1 The use of the Parlour is generally at the Mayor's discretion but only for duties directly related to the Office. However, there may be occasions when it is required for non-mayoral, but civic use.

14. ROLE OF THE MAYORAL WORKING GROUP

14.1 The Mayoral Working Group comprises the following:

- a) Mayor
- b) Deputy Mayor
- c) Leader of the Council
- d) Opposition representative(s)
- e) Chief Executive
- f) Mayor's Office representatives

14.2 The Mayoral Working Group will meet at regular intervals during the year to discuss Civic matters and will be available to meet on an ad hoc basis should the need arise.

14.3 The following items come within the remit of the Mayoral Working Party:

- a) Mayoral Protocol
- b) Mayoral Engagements
- c) Civic Events
- d) Honorary Freeman and Freedoms
- e) Town Twinning

- |
- 14.4 [ⓔ] The Mayoral Working Group will also meet with the Mayor designate to provide guidance for the forthcoming year.

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APPENDIX A

REGALIA- USE AND CUSTODY

1. The Council determined in November 1977 (Min 1, 347, 1977) that the Mayor, Deputy Mayor and the Chief Executive would robe on the following occasions:
 - a) All meetings of the Council*
 - b) The Civic Service
 - c) Remembrance Sunday
 - d) The Justice Service
 - e) Visits of Royalty (unless otherwise requested)
 - f) Such other occasions as the Mayor may consider necessary
2. The Chief Executive now robes only for Annual Council.
3. Robes may also be worn on exceptional occasions such as the death of a Lord Lieutenant or a former holder of that office. However, this must be agreed by the Mayoral Working Group.
4. The Mayoral Working Group has also agreed that the Mayoralty is able to wear their robes at the Costermongers Harvest Festival in London and also the Writtle and Anglia Ruskin University Graduation (when the Professors will also be robed).
5. Robes, so far as the Mayor and Deputy are concerned, comprise the gown, jabot, gloves and hat (the last two items are generally carried but when the hat is worn the embellishment is worn on the right).
6. The Ceremonial Chain of Office is over 100 years old; it is fragile and costly/difficult to repair. For this reason it is only worn on civic occasions when the robes are worn and also when the Mayor is in the presence of Royalty or the Lord Lieutenant. If there is a risk of its security at any of these events it should not be worn. For all other occasions a second Mayoral Chain has been purchased which will be worn for the majority of Mayoral engagements.
7. Taking account of the above, the general principles relating to the wearing of regalia are as set out in the following table.

	EVENT	APPROPRIATE REGALIA
(a)	Council organised civic events, e.g. Civic Dinner Lunch for Mayors/Chair of Essex Authorities, Civic Service, Community Evening including occasions as set out above when the Mayor is robed (Royalty not present)	Ceremonial Mayoral Chain and badge
(b)	Opening of public buildings, unveiling of plaques, etc. or any function connected with the business of the Council	Mayoral Chain and Badge
(c)	Non-civic dinners, luncheons and receptions	Mayoral Chain and Badge
(d)	Non-civic functions within the City at which Royalty/Lord Lieutenant is present (Lieutenancy Office to be informed)	Ceremonial Mayoral Chain and Badge. Robe if requested by the organisers.
(e)	Cathedral and Church services, (excluding Civic service and where Royalty not present)	-Mayoral Chain and Badge
(f)	Charity events, fetes, bazaars, garden parties, meetings, etc., within the City	Normally Mayoral Chain. Otherwise, Badge on corporate collarette
(g)	Functions outside the City	<p>The Mayoral Working Group has agreed that the Mayor is able to wear their robes and ceremonial chain to the Costermongers Harvest Festival in London.</p> <p>If the Mayor/Chair of the City/District is hosting a function and requests for the Mayor to wear robes etc. then this is acceptable.</p> <p>The Mayoral Chain and Badge as requested by the organisers and agreed by Mayor/Chair of the City/District where function is held.</p> <p>If any other requests are made for the Mayoralty to wear robes outside of the City then this must be agreed by the Mayoral Working Group.</p>
(h)	Royal Garden Parties	As advised by the Lord Chamberlain's Office. Please note if the Mayoralty has

		already attended the Royal Garden Party in any capacity then they will be unable to attend again. This is stipulated on the invitation by Lord Chamberlain's Office.
(i)	Funerals of Members of the Council/Past Mayor's	<p>Under no circumstances will the Mayor's Office approach the family of the deceased to enquire if they would like the Mayor to attend the funeral in their position as Mayor. This is seen as putting undue pressure on the family to host the Mayor.</p> <p>If the Mayor is not formally invited to the funeral, but wishes to attend, they will attend as a councillor and will not wear any chains/badges and will drive themselves.</p> <p>However, if the Mayor is formally invited to attend the funeral of a member of the Council or a Past Mayor (in their position as Mayor) the Mayor's Office will enquire whether the family would like the Mayor to wear their ceremonial chain and badge or badge and corporate collaret. Only if it is confirmed that they do, will they wear these. The Mayor will also only be chauffeur-driven to the funeral where they have been asked to attend in that official capacity.</p> <p><u>The Mayor will on no occasion wear full robes.</u></p>

8. When attending regular meetings of the organisations of which the Mayor is Patron, it is not appropriate for the Mayor to wear any regalia.
9. When not in use, the robes (Mayor's and Deputy Mayor's) and ceremonial chains (Mayor's and Mayoress/Consort's) are kept under secure conditions in the Mayoral Safe. On appropriate occasions, regalia and robes are on view to visitors in the Civic Centre. Regalia and robes should not usually be removed from the Civic Centre for viewing elsewhere.
10. The Mayor, Mayoress/Consort, Deputy Mayor, Deputy Mayoress/Consort are responsible for the safe keeping of their mayoral chains, badges and corporate collarettes. These should be kept in their case/pouches at all times, when not in use. In the event of any of the Mayoral party being away from home for more than a few days, the chains and badge(s) should be returned to the Mayor's Office for safe keeping.

Past Mayor's Badge

11. At the end of the Mayoral Year, the Mayor and Mayoress/Mayor's Consort will be presented with Past Mayor and Past Mayoress/Mayor's Consort Badges.
12. Past Mayor's Badges should only be worn at civic events when the Mayor is in attendance as below:
 - a) Reception after the Annual Council Meeting
 - b) Civic Service
 - c) Remembrance Sunday
 - d) Tree Planting
 - e) Christmas Reception
 - f) Community Evening
13. Should any other occasions or events arise during the course of the Mayoral year, then the invitation or notification will clearly show that Past Mayor's Badges may be worn if appropriate.

APPENDIX B

EVENTS AND PROCEDURES

1. Procedure when Mayor is to Unveil

- 1.1 In the case of a City function such as an "Opening", a "Presentation" or an "Unveiling" the following procedures are suggested.
- (i) An officer will be nominated to be responsible for ensuring that all necessary introductions are made either before the event begins or at a later appropriate point.
 - (ii) When the guests are assembled an officer should call for silence.
 - (iii) The Mayor should make a brief welcoming address and may touch briefly on the reason for the gathering and perhaps express his/her personal pleasure at being present.
 - (iv) The appropriate Cabinet Member then makes the core speech of the occasion, since he/she will normally have the most thorough knowledge of the reasons for, and the background to, the occasion.
 - (v) The Cabinet Member invites the Mayor to "Unveil", "Present", or "Cut the Ribbon" etc. This is the point when photographs may best be taken. The Press Officer attending will be responsible for determining what photographs are to be taken. The Cabinet Member should be included in official photographs and the Press Officer should brief the press accordingly. (However, it is recognised that the press may wish to limit the number of people appearing in the photograph.)
 - (vi) The Cabinet Member makes a final comment and thanks the Mayor for "doing the honours". Presentations of flowers, et al, to the Mayor/Mayoress may be made.
 - (vii) Mayor thanks people for coming and/or invites them to join him/her for refreshments.

2. Procedure when the VIP is to Unveil

- 2.1 The procedure will be as in paragraph 1.1 with substitution of the following for 1.1 (v) and 1.1 (vi) respectively:
- (v) The Cabinet Member invites the VIP to speak and then "Unveil," "Present", or "Cut the Ribbon". The Cabinet Member and the Mayor

should be included in photographs.

- (vi) The Cabinet Member makes closing comment and thanks both the Mayor and VIP for their part. Presentations to Mayor, Mayoress and/or VIP and/or spouse may take place.

3. Procedure when a Joint Unveiling is to take place

- 3.1 The procedure will be as in paragraph 1.1 except that both the Mayor and VIP will be invited to “Unveil”, “Present”, or “Cut the Ribbon” together.

4. Events at the Civic Centre (Mayor’s Parlour)

- 4.1 Where the event is held in the Mayor’s Parlour then:
 - (i) At the beginning of the event the Mayoral Party would normally greet guests, individually, as they arrive; and
 - (ii) At the end of the event the Mayor will normally remain until all or nearly all guests have departed. VIPs will depart before the Mayor departs.

5. Events away from the Mayor’s Parlour

- 5.1 If the event is away from the Civic Centre (but nevertheless on City Council premises), e.g. museums, theatres or tree planting then:
 - (i) The guests should assemble before the Mayor arrives.
 - (ii) The Mayor should be greeted by a senior officer or the appropriate Cabinet Member; and
 - (iii) The Mayor departs at the conclusion of the event – but a degree of judgement may need to be exercised over the timing of the departure.

6. Visits to Chelmsford by VIPs

- 6.1 Subject to paragraph 6.2 below, in the case of visits by VIPs at the invitation of the City Council (including, for example, a Government Minister acting in their official capacity) the following procedures are suggested:
 - (i) The Mayor’s Office should be consulted at the initial stage.
 - (ii) The Mayor should normally be the first person to greet the VIP formally on City Council premises or at a City Council event but see paragraph 10 of the Notes. It may be appropriate for a senior officer to meet the VIP at the station or helicopter landing site and escort them to the Mayor.

- (iii) Mayor introduces the VIP to principal Council representatives, e.g. Cabinet Member, Chief Executive and Director.
 - (iv) Cabinet Member introduces other relevant persons.
 - (v) The official programme should begin with a brief welcome address from the Mayor.
 - (vi) The Cabinet Member should then continue to lead the visit.
 - (vii) The Mayor should accompany the VIP throughout the visit.
- 6.2 Where the purpose of the visit or part of the visit involves the making of representations or the carrying out of negotiations on behalf of the Council it will not be usual for the Mayor to be involved.

7. Council Arranged Annual Events

The expenditure for these events is met from the Mayor's Hospitality Allowance managed by the Civic Services Manager.

7.1 Reception after the Annual Council Meeting

Councillors, Chief Executive, Directors, Past Mayors, Widows/Widowers of Past Mayors, Designated Independent Person, Honorary Freeman, Parish councillors who help on committees.

The Mayor and Deputy Mayor may invite personal guests to attend the Reception. The maximum that can be accommodated is approximately 150.

7.2 Refreshments after Council meetings

Light refreshments are provided in the Civic Foyer after Council Meetings for Councillors, Chief Executive, and Directors.

7.3 Christmas Reception

Councillors, Chief Executive, Directors and their spouses are invited.

7.3.1 Civic Service

The Civic Service is a formal occasion held at the Cathedral shortly after the Mayor takes office. The Order of Service is determined by the Mayor and Dean, or other Minister, via the Mayor's Office. Invitations are sent to Dignitaries, MPs, Councillors, Chief Executive, Directors, Past Mayors, Widows/Widowers of Past Mayors, Honorary Freeman, Neighbouring Civic Heads, representatives from local organisations e.g. Health Service, Police and

personal guests of the Mayor and Deputy. Guests are invited back to the Civic Centre for refreshments.

7.3.2 End of Term Service

The service will usually be held in the church managed by the Mayor's Chaplain towards the end of their term of office.

The End of Term Service is not a Civic event and is an informal occasion with no procession.

The Mayor's office has limited involvement in the organising of the event. It will however assist with sending invitations to Councillors, Chief Executive, Directors, members of staff, Neighbouring Mayors (that have shared the same term of office) and personal guests. The Mayor's Office will also assist with coordinating replies.

The Order of Service is produced by the Mayor and his/her Chaplain and the Mayor's office will coordinate and fund the printing of these. However, no other cost will be incurred by the Mayor's Office.

The Service is normally followed by coffee and biscuits which are provided by the host Church; if the Mayors requires something more substantial they would need to cover the cost themselves.

7.4 Community Evening (March)

The theme of the event, guest list, format and menu choices are usually chosen by the Mayor and agreed with the Mayoral Working Group. The guest list includes dignitaries, Councillors, nominees made by Councillors based on the Mayor's theme and any other specific guests the Mayor would like to invite based on their theme. No personal guests are invited to this occasion.

7.5 Remembrance Day (Second Sunday in November)

The Mayor's Office coordinates a planning meeting in September at the Civic Centre, this is attended by ex-service organisations, police and others. Detailed arrangements are well-established. The Dean usually conducts the Service.

It is usual to invite 2 or 3 military officers to join the Mayoral Procession from the Parlour to the front steps. A police officer usually accompanies the Mayor when the salute is taken.

After the Service refreshments are served in the Civic Foyer.

7.6 Tree Planting

This is usually held at the end of November/beginning of December to coincide with National Tree Week. The Mayor is consulted on choice of site and tree with advice from Parks and Green Spaces Services. The Ceremony is usually followed by coffee, biscuits etc. in a local village hall. The Mayor's Chaplain is involved in the Ceremony, along with the Cabinet Member for Public Places. Guests include Councillors and personal guests.

7.7 Visits to Parlour

These arise in two ways:

- (i) At the request of an organisation, school, foreign students or visitors on an exchange visit to a local school or group; or
- (ii) At the invitation of the Mayor to an organisation or, for example, a school where the Mayor may be a Governor.

In the case of school children, students or those of similar age, the visits comprise:-

- a talk in the Mayor's Parlour about the history of the Office of Mayor, the Regalia etc.
- a further talk in the Council Chamber (if available) on what the Council and Committees do, how they work, where various Members, etc. sit
- photographs in Council Chamber or Mayor's Parlour
- refreshments served in the Foyer.

8. **External Annual Events**

The Mayor is also expected to attend many external events, by invitation of the organisations concerned. Of these, some of the more important are as follows and attendance should be given priority over any other event:

8.1 Royal Garden Party (July)

As mentioned in Appendix 5.4.h if the Mayoralty has already attended the Royal Garden Party in any capacity then they will be unable to attend again. This is stipulated on the invitation by the Lord Chamberlain's Office.

8.2 Justice Service (October)

(Detailed arrangements are made by the Under Sheriff)



Chelmsford City Council Governance Committee

15 June 2022

Model Code of Conduct

Report by:
Monitoring Officer

Officer Contact:
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Purpose

To consider the adoption of a new code of conduct for city councillors through the adoption of a code based entirely upon the LGA model code of conduct. To consider recommending that all parish tier authorities in Chelmsford also adopt the Model code of conduct.

Recommendations

1. To recommend that Full Council adopts the latest version of the LGA Model code of conduct (which includes Appendices A & B).
 2. To recommend to all parish tier authorities in Chelmsford that they also adopt the Model Code of Conduct, unless they have already done so.
-

1. Background to Model Code of Conduct

- 1.1. In 2019 the Committee on Standards in Public Life issued a detailed report in relation to ethical standards in local government. This report made several recommendations, including a key recommendation that the LGA should produce a model code with a view to Councils adopting a consistent code nationally, as was the case prior to the Localism Act. The report noted the many benefits of a consistent code applying to the different tiers of local government, particularly in areas like Chelmsford, where there are multi-hatted members. There were also recommendations as to the content of codes of conduct in any event.
- 1.2. During June 2021 Governance Committee considered a report in relation to the adoption of the LGA Model Code of Conduct. As recommended, it was decided to await the publication of the guidance accompanying the model code and some changes were made to the existing Code of Conduct to meet the other recommendations by the Committee on Standards in Public Life in relation to the content of codes of conduct.
- 1.3. The Guidance to the Model Code was subsequently published last summer. Essex Monitoring Officers met and there was broad agreement to recommend to their authority the adoption of the model code in 2022 with some authorities aiming for their annual meetings. Essex County Council has recently decided to adopt the LGA model code with effect from 1/6/22. It is understood that other district tier authorities in Essex are also considering this.
- 1.4. In relation to the parish tier of authorities in Chelmsford there are also now different versions of the code of conduct and one parish has already adopted the Model Code.
- 1.5. Given the number of parish tier authorities and multi-hatted members in the Chelmsford City Council area, that Essex County Council has already decided to adopt the Model Code of Conduct, Governance Committee are asked to recommend to Full Council that the City Council adopts the LGA model code (with Appendices A and B) with effect from 1st August 2022.
- 1.6. The Constitution Working Group met on 24 May 2022 and recommended the adoption of the Model Code of Conduct.

2. LGA Model Code of Conduct

- 2.1. If the City Council decides to adopt the model code it would mean changes to the existing code so it aligns with the national model code. The model code covers three broad areas – behaviour, interests and gifts/hospitality.
- 2.2. In terms of behaviour the code is broadly similar to the existing code and members will recall that some updates were made last year to the code based

upon the model code (e.g., in relation to bullying, harassment, discrimination and gifts/hospitality). There is however within the model a new provision relating to compliance with the code of conduct which includes requirements to attend training, co-operate with investigations and/or determinations and compliance with sanctions.

2.3. In terms of interests this is the area where most changes will be apparent, although as Disclosable Pecuniary Interests are based upon a statutory instrument those interests would remain unchanged. The other types of interests would be “other registrable interests” and “non-registrable interests”.

2.4. In relation to gifts and hospitality the Council broadly adopted the model when updating the code last year although some minor changes including the requirement to notify the Monitoring Officer if any gift or hospitality is declined would be added. The Monitoring Officer already encourages members to do so in any event.

3. Next steps

3.1. Should the Council decide to adopt the national Model Code it will be necessary for members to be trained as to the content of the new code. Arrangements will be made for a member briefing to take place and for notifications as to the completion of a new register of interests form.

3.2. The Monitoring Officer will also arrange liaison meetings with parish clerks to explain the potential adoption of the Model Code as well as other ethical governance issues as necessary.

List of Appendices

Appendix 1 – LGA model Code of Conduct (with Appendices A & B)

Appendix 2 – The LGA guidance on the code: Follow this link [Guidance](#)

Background papers:

Nil

Corporate Implications

Legal/Constitutional: These are set out in the report

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

Consultees: None

Relevant Policies and Strategies:
None

Local Government Association

Model Councillor Code of Conduct 2020

Joint statement

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviors and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area, taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied, or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and

contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the Monitoring Officer prior to its release.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local authority or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport

- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in “The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”. You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

“Disclosable Pecuniary Interest” means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A ‘sensitive interest’ is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a ‘sensitive interest’ you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. [Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative or close associate; or
 - c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. [Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>‘Land’ excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licenses	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor’s knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor’s knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were</p>

	spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You must register as an Other Registrable Interest :

- a) any unpaid directorships
 - b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
 - c) any body
 - (i) exercising functions of a public nature
 - (ii) directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)
- of which you are a member or in a position of general control or management

Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.



Chelmsford City Council Governance Committee

15 June 2022

Work Programme

Report by:
Monitoring Officer

Officer Contact:
Monitoring Officer – Lorraine Browne, 01245 606560,
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Purpose

The purpose of this report is to receive members' comments on the Committee's future work programme.

Recommendations

1. Members are invited to comment on the Committee's work programme, attached as Appendix 1 to this report, and make any necessary amendments to it.

1. Background

- 1.1. The Work Programme is reviewed by the Committee at each meeting. The current version is attached at Appendix 1 to this report and includes the proposed work for future meetings, based on the Programme content for recent years.

2. Conclusion

- 2.1. Members are invited to comment on the Committee's work programme and make any necessary amendments to it.

List of appendices:

Appendix 1 – Governance Committee Work Programme

Background papers:

Nil

Corporate Implications

Legal/Constitutional: None

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

Consultees:

None

Relevant Policies and Strategies:

Not applicable

Governance Committee Work Programme Appendix 1

15 June 2022

- Monitoring Officer Report
- Gifts and Hospitality Report
- Annual Constitution Report
- Review of Member Code of Conduct
- Register of Interests – adding annual report to committee

12 October 2022

- Monitoring Officer Report
- Annual Report on Whistleblowing
- Annual Report from Senior Information Risk Owner
- Ombudsman Complaints
- RIPA Annual Review
- Annual report on Register of Interests

18 January 2023

- Monitoring Officer Report
- Review of Dispensation guidance
- Review of Standards complaints procedures
- Review of Social media guidance
- Employee Code of Conduct

8 March 2023

- Monitoring Officer Report
- Annual Constitution Report
- Gifts and Hospitality Report

Ad hoc reports

- Politically exempt officer posts

Training