

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF CONSTITUTION AND MEMBERS SERVICES SCRUTINY
STANDING PANEL
HELD ON THURSDAY, 4 DECEMBER 2008
IN COMMITTEE ROOM 1
AT 7.30 - 9.56 PM**

Members Present:	Mrs M McEwen (Chairman), R Morgan (Vice-Chairman), Mrs P Brooks, Ms J Hedges, B Rolfe, D Stallan and Mrs J H Whitehouse
Other members present:	Mrs C Pond
Apologies for Absence:	J Markham, J Philip and Mrs M Sartin
Officers Present	I Willett (Assistant to the Chief Executive), C Overend (Policy & Research Officer), S G Hill (Senior Democratic Services Officer), P Seager (Chairmans Secretary) and M Jenkins (Democratic Services Assistant)

27. NOTES OF THE LAST MEETING

RESOLVED:

That, the notes of the last meeting of the Panel held on 3 November 2008 be agreed, subject to the following amendments:

- (a) Item 24, Section 2 – Annual Council Meeting, first paragraph, add “outside” before “bodies.”
- (b) Item 24, Section 3 (a) – Diary and Events, under “Panel Response,” delete “with over 150 events per annum, there would be too many events for the Chairman to attend,” and add “with so many events, a two year period would prove exhausting.”
- (c) Item 24, Section 3 (e) – Diary and Events, under “Panel Response,” delete “Agreed,” and add “The Panel did not agree with twinning the district with a European area.”

28. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

There were no substitutions made.

29. DECLARATION OF INTERESTS

No declarations of interests were made pursuant to the Member Code of Conduct.

30. TERMS OF REFERENCE / WORK PROGRAMME

The following items of the Work Programme were noted:

- (a) The Work Programme for the next meeting of the Panel included an Overview and Scrutiny Review and Government White Paper on Empowerment. The review of

Overview and Scrutiny may only require operational adjustment, although this is yet to be decided.

(b) Item (12) on the Work Programme – Revised Arrangements for Mayoral Petitions was a further Government initiative.

(c) Item (13) Time Off Entitlement to Encourage Public Service – was being discussed at this Panel meeting.

31. REVIEW OF CIVIC CEREMONIAL ARRANGEMENTS

Mr S Hill, Senior Democratic Services Officer, continued to present the report on Civic Ceremonial Functions which had been adjourned at the last meeting of the Panel.

(a) Section 4 – Status of Chairman

Respondents had indicated that there was confusion about the respective roles of the Chairman and Leader. This should be alleviated through production of an “Easy Guide” which would explain the different roles whilst also promoting the Chairman of Council.

The Past Chairmen of Council had suggested use of a Civic Car to transport the Chairman to all events, this was not felt to be practical. Members were also told that the car allowance budget had been increased for Chairman’s journeys to events by diverting funds from the Chairman’s allowance. To improve identification of the Chairman at events, it had been suggested that wearing a badge whilst at engagements could obviate the need for a Chain of Office being worn. The Panel were advised that officers had researched a badge for all District Councillors. A company had been approached with a design brief, and the production of the badges had been costed at £1.50 each. There were two badges, one shield shaped, the other circular.

Councillor Mrs J Whitehouse proposed to the Panel that the members should have named badges. The Panel agreed to the proposal.

The Panel were told that the Government’s intention was to place a statutory duty on local authorities to promote democracy. The Government’s plans included working with schools to educate young people into the democratic process. This plan would involve both the Leader and the Chairman. The Panel’s view was that the Chairman’s role was apolitical and may be better suited to the promotion of democratic involvement. In the light of these Governmental proposals, the Constitution would need amending to change the Chairman’s role, change was also required in the Member Accountability Statements which fell within the remit of the Remuneration Panel.

The promotion of democracy could form part of a “citizenship” programme, there were good practice examples across the country that should form the basis of such a scheme. However, it was noted that any programme would have resource implications for the Chairman and officers, and would need detailed discussion with each successive Chairman, establishing what was practically possible.

Mrs P Seager, the Chairman’s Secretary, confirmed that the Chairman of Council should wear a Chain of Office at civic functions and events within the district. Permission must be sought to wear the insignia outside of the district.

The Panel was asked how much the car allowance currently was for the Chairman. Mr S Hill replied that it was £3,720, the allowance had increased from two years ago. The allowance covered 18-20 trips per annum. Mrs P Seager advised that most of the civic events took place during the latter half of the Chairman's year in office. The first part of the year usually accounted for 25% of the Chairman's budget. It was confirmed to Councillor D Stallan that most Chairmen drove themselves to events, they could not claim mileage, the cost came from the Chairman's allowance. The Chairman's personal allowance was £7,760. Councillor R Morgan requested that the Chairman be issued with a Satellite Navigation system for navigating around the district.

The Panel discussed the issue of the Chairman's Crest to use on his or her car which had been raised by Councillor B Sandler at the last meeting of the Panel. Mr S Hill said that officers were still looking at the various options. The current crest should not be used, as it had been shown to be unsafe, having on at least one occasion fallen from the Chairman's car. The alternative suggestions were for the Chairman's badge to be attached to the grille of the Chairman's car, a magnetic plate bearing the Chairman's insignia to be fixed to the side of the Chairman's car, a sign to be placed inside the windscreen of the Chairman's car, flags or sun visors. Councillor D Stallan opined that the Chairman only needed indentifying at the event, any signage on his or her car was not needed.

The Remuneration Panel's role in dealing with the Member Accountability Statement for the Chairman's position was queried. Mr I Willett, Assistant to the Chief Executive, advised that the Remuneration Panel can only make recommendations. The Council was not required to ask the Panel to agree the Statement for the Chairman although the Council had already asked the Remuneration Panel to look at statements for other key roles (e.g. Cabinet members). Mr S Hill suggested that this part could be included in the Panel's Terms of Reference with permission from the Overview and Scrutiny Committee.

The Panel came back to the issue regarding Councils promoting public involvement in democracy, particularly in schools. There were good practice examples across the country that should form the basis of such a scheme. This would have resource implications for the Chairman. Mr Willett, advised that in his other capacity as Returning Officer, he was also expected, under Government criteria, to be promoting democracy as well. This process would need to be demonstrated to the Audit Commission and would require a detailed discussion with each Chairman in establishing how they were going to approach matters.

(b) Section 5 – The Annual Civic Events

All Chairmen had said they'd enjoyed their Civic Events, meeting diverse groups of people who had contributed their time to the community. The Chairmen thanked the staff of EFDC, in particular Mrs P Seager, Chairman's Secretary, for organising these events. The District Council organised as wide a variety of events as most other District, Borough and County Councils. It was generally felt that no changes were required in the timing or types of events. Officers continued to monitor the costs of events and would manage the current budget accordingly. No changes or budget increases were proposed. Views had been expressed giving ideas for event types:

- Visits to places of interest, as part of the Civic Lunch; and
- A Garden Party; and

- Civic Offices Open Day; and
- Forming of links with local businesses; and
- Coffee mornings with representatives of local charities/Youth Council Events; and
- Inviting Town and Parish Councils to an informal seminar about civic role and etiquette

The Panel were advised that even small events usually cost hundreds of pounds. The Panel members were in favour of all the above suggestions, some of these could be linked to others, for example, an informal seminar linked to a Garden Party or coffee morning. The Chairman felt that some events could be interwoven into bigger events, so the District Council could share a marquee at an event within the District, e.g. Abridge's Village Day.

The civic events budget was £14,600 which paid for all civic events such as the carol service, civic awards evening and prize giving. The Panel were also informed that the staging of events was also paid for through this allowance, for example microphone installation at the civic awards ceremony, publicity and photographs.

The Panel were concerned about the cost of food at Council meetings. It was around £300 - £400 per event. Sometimes there had been a wastage of food, other times not. It was difficult planning the amount needed. Councillor Mrs J Whitehouse suggested that consideration be given to decreasing the amount spent on food and transferring the money to the Chairman's car budget. Mr S Hill, advised that officers had delegated authority to transfer money between budget needs. However the Chairman could not use money from their budget for their charity.

(c) Section 6 – Chairman's Charity

Views had been expressed on the need for support for the Chairman's Charity. Support from officers was a common theme. Officers were spending time on charitable efforts although this was not their main function or in their job description. The Chairman and their chosen charity had to provide the main thrust for any fundraising. It was suggested that fund raising could require input from other Councillors, possibly with an officer presence. However officers could not take part in fund raising. Perhaps a meeting at the beginning of the civic year outlining the Chairman's charity policy would assist.

RECOMMENDATIONS:

- (1) That, name badges be issued to each Member of the District Council on the format presented at the meeting;
- (2) That, each successive Chairman and Vice Chairman be issued a Satellite Navigation system for their use during their years of office;
- (3) That, no changes be made to the timing and types of events or to the budget;
- (4) That, the past Chairmen's views on other types of event be recommended as well as linking some events together;
- (5) That, a meeting with the incoming Chairman be organised outlining their proposed charity policy.

32. CONSULTATION: "STANDING FOR OFFICE, TIME OFF ENTITLEMENTS"

Mr C Overend, Policy and Research Officer, presented a report to the Panel regarding a Consultation, Standing for Office: Time Off Entitlements The Government White Paper "Communities in Control: Real People, Real Power," published in July 2008. It had set out a range of policies with a view to returning power to local communities. The White Paper had agreed a series of consultation papers covering the following:

- Improving Local Accountability
- Making and Enforcing Byelaws
- A revised Code of Conduct for Members
- Mayors
- Time-off Entitlements
- Local Government Publicity

Communities and Local Government was now inviting comments on the recently released consultation paper in respect of Time-Off Entitlements.

There were a number of specific comments and questions on which the consultation paper invited a response, as follows:

(a) Do you agree with the analysis in the consultation paper on the benefits of undertaking civic roles?

Panel Response: The consultation papers' analysis on the benefits of undertaking civic roles was correct. Members felt that more encouragement should be given to attendance on accredited training courses

(b) Do you agree with the estimation of costs and assumptions made in calculating the overall costs to employers?

Panel Response: Encouragement should be given to the self-employed to undertake civic roles with consideration given to the possibility of inducements. The Panel noted the estimation of costs and assumptions made in calculating the overall costs to employers.

(c) Do you agree with the proposal that each of the following roles should be added to the list of roles under Section 50 of the Employment Rights Act 1996 entitled to time off work? Are there any other local civic roles which should be included?

- Members of Probation Boards/Probation Trusts
- Members of Court Boards
- Youth Offender Panel Members
- Lay Advisers Assisting Multi-Agency Public Protection Arrangements
- Co-Opted Overview and Scrutiny Committee Members

Panel Response: There was agreement with the proposal that the members of Probation Boards, Probation Trusts, Members of Court Boards, Youth Offender Panel Members and lay Advisers assisting multi-agency public protection and co-opted Overview and Scrutiny Committee Members should be added to the list of roles under Employment Rights legislation. The list should include

Members of Standards Committee, Co-Optees on Independent Remuneration Panels and Audit and Governance Committees.

(d) Do you agree with the proposal that various housing roles (any member of a TMO Board, an ALMO Board or RSL Board) should be added to the list of roles under Section 50 of the Employment Rights Act 1996 entitled to time off work? Are there specific issues that should be considered?

Panel Response: There was agreement with the proposal for various housing roles, which included members of a TMO Board, an ALMO Board or RSL Board, to be added to the list of roles which were entitled to time off work. This should be extended to other governance roles such as school governors and representative roles on Local Strategic Partnerships.

(e) Are the barriers to undertaking a charity trustee or other governance position different from those barriers which prevent people from committing to regular volunteering?

Panel Response: There were legal liabilities in undertaking roles as a Charity Trustee or other governance positions, this could be a deterrent to some who considered taking up these roles.

(f) Do you agree that lack of awareness and understanding of roles is a barrier to participation? If so, what else could be done to address it?

Panel Response: There was a negative attitude displayed by some employers which could be a deterrent to individuals contemplating involvement in civic roles. Employers should be assisted and encouraged in getting their employees into civic roles.

(h) Are existing volunteer recruitment routes such as Volunteer centres and the Do-It.org database adequate for filling trustee and other third sector governance role vacancies? If not, what would be the best way of addressing this issue?

Panel Response: The local Volunteer Bureau seemed effective at filling trustee and third sector governance positions. There may be a wider general problem in other local authority areas.

(i) Do you agree it would be useful to add information on third sector governance roles, such as charity trustees to the employers information pack?

Panel Response: The Panel felt it would be useful for information on third sector governance roles and other opportunities for involvement with the voluntary sector, to be included in employer information packs.

(j) What other action could: (i) Government; (ii) employers; (iii) the sector and their representative bodies; and (iv) communities and individuals take to increasing the number of people who want to be trustees or take on other governance positions?

Panel Response: The Government should explore the possibility of greater reimbursement through the benefits system to those undertaking civic roles, as some people within these groups were unable to claim expenses without being penalised.

(k) In particular, what steps could be taken to increase the number of underrepresented groups such as young adults, disabled groups, BME groups and those with lower incomes to participate?

Panel Response: More publicity could be given on the benefits for individuals becoming involved in civic roles through the Government, employers and representative bodies.

33. FUTURE MEETINGS

The next meeting of the Panel was on 12 January 2009.

34. REPORTS TO BE MADE TO THE NEXT MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE

Noted that there were no reports to be made to the next meeting of the Overview and Scrutiny Committee.