

## **Scrutiny Standing Panel Agenda**



### **Constitution and Members Services Scrutiny Standing Panel Thursday, 4th December, 2008**

**Place:** Committee Room 1

**Time:** 7.30 pm

**Democratic Services Officer:** I Willett - The Office of the Chief Executive  
Tel: 01992 564243 Email: [iwillett@eppingforestdc.gov.uk](mailto:iwillett@eppingforestdc.gov.uk)

**Members:**

Councillors Mrs M McEwen (Chairman), R Morgan (Vice-Chairman), Mrs P Brooks, J Demetriou, Ms J Hedges, J Markham, J Philip, B Rolfe, Mrs M Sartin, D Stallan and Mrs J H Whitehouse

**A BRIEFING FOR THE CHAIRMAN OF THE PANEL WILL BE HELD AT  
7.00 PM PRIOR TO THE MEETING**

**1. APOLOGIES FOR ABSENCE**

**2. NOTES OF THE LAST MEETING (Pages 3 - 10)**

The notes of the last meeting of the Panel, held on 3 November 2008, are attached.

**3. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)**

(Assistant to the Chief Executive) To report the appointment of any substitute members for the meeting.

**4. DECLARATION OF INTERESTS**

(Assistant to the Chief Executive). To declare interests in any items on the agenda.

In considering whether to declare a personal or a prejudicial interest under the Code of Conduct, Overview & Scrutiny members are asked pay particular attention to paragraph 11 of the Code in addition to the more familiar requirements.

This requires the declaration of a personal and prejudicial interest in any matter before an OS Committee which relates to a decision of or action by another Committee or Sub Committee of the Council, a Joint Committee or Joint Sub Committee in which the

Council is involved and of which the Councillor is also a member.

Paragraph 11 does not refer to Cabinet decisions or attendance at an OS meeting purely for the purpose of answering questions or providing information on such a matter.

**5. TERMS OF REFERENCE / WORK PROGRAMME (Pages 11 - 14)**

(Chairman/Lead Officer) The Overview and Scrutiny Committee has agreed the Terms of Reference of this Panel and associated Work Programme. This is attached. The Panel are asked at each meeting to review both documents.

The OSC is about to formulate next years OS work plan incorporating a programme for this Panel. In view of this, the Panel may wish to bring forward suggestions/ideas on topics for inclusion in its work programme for next year.

**6. REVIEW OF CIVIC CEREMONIAL ARRANGEMENTS (Pages 15 - 48)**

This item continues from the last meeting of the Panel, for which there had been insufficient time to conclude. Matters discussed at the last meeting are referred to in the notes of that meeting (item 2).

**7. CONSULTATION: "STANDING FOR OFFICE, TIME OFF ENTITLEMENTS" (Pages 49 - 56)**

Report and Appendix attached.

**8. FUTURE MEETINGS**

The next programmed meeting of the Panel will be held on 12 January 2009 at 7.30p.m. in Committee Room 1, and then on:

6 April 2009

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

To consider which reports are ready to be submitted to the Overview and Scrutiny Committee at its next meeting.

**EPPING FOREST DISTRICT COUNCIL  
NOTES OF A MEETING OF CONSTITUTION AND MEMBERS SERVICES SCRUTINY  
STANDING PANEL  
HELD ON MONDAY, 3 NOVEMBER 2008  
IN COMMITTEE ROOM 1  
AT 7.30 - 9.45 PM**

**Members Present:** Mrs M McEwen (Chairman), R Morgan (Vice-Chairman), Mrs P Brooks, Ms J Hedges, J Markham, J Philip, B Rolfe, Mrs P Smith and Mrs J H Whitehouse

**Other members present:** Mrs A Haigh, J Knapman, Mrs C Pond and B Sandler

**Apologies for Absence:** Mrs M Sartin and D Stallan

**Officers Present** I Willett (Assistant to the Chief Executive), J Akerman (Chief Internal Auditor), S G Hill (Senior Democratic Services Officer), P Seager (Chairmans Secretary) and M Jenkins (Democratic Services Assistant)

## **18. NOTES OF THE LAST MEETING**

### **RESOLVED:**

That the notes of the last meeting of the Panel, held on 8 September 2008, be agreed.

## **19. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)**

Noted that Councillor Mrs P Smith was attending the meeting as a substitute for Councillor Mrs M Sartin.

## **20. DECLARATION OF INTERESTS**

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

## **21. TERMS OF REFERENCE / WORK PROGRAMME**

The Assistant to the Chief Executive, Mr I Willett, drew the Panel's attention to item 5 of the Work Programme (Government Consultation Document on Weekend Voting). The report would have been put before the 29 September 2008 meeting of the Overview and Scrutiny Committee but the meeting had been cancelled, which meant that the Weekend Voting report had not been formally agreed at Overview and Scrutiny. The recommendations of the Constitution and Members' Services Panel of 8 September 2008, which appeared in the minutes from that meeting, had been sent onto the Government. Further comments would be forwarded to the Government if necessary.

The Panel were advised that Item 6b of the Work Programme (Overview and Scrutiny Review/Government White Paper on Empowerment) was scheduled to be considered at the next Overview and Scrutiny Committee. However there were still amendments being made by the Government. The White Paper concerned the option of having an elected mayor and consultation regarding time off from work to be an

elected member. The Panel was also advised that the National Scrutiny Conference had informed officers that the proposals were “light touch” legislation and would be implemented by April 2009. It was planned to have all the proposals published by January 2009.

## **22. CONTRACT STANDING ORDERS - REVIEW OF PROVISIONS RELATING TO CONSULTANTS**

Mr J Akerman, the Chief Internal Auditor presented a report to the Panel regarding a Review of Contract Standing Order C13 (Provisions for Appointment of Consultants). An officer working party had reviewed arrangements for the recruitment of consultants. There had been concerns expressed about the process for recruiting consultants in various directorates of the Council, this focused on the engagement of consultants for extended periods, often to cover established posts. However, in some of these cases there had not always been evidence of adequate market testing to demonstrate value for money. Consultants were often engaged and retained at high cost which may have adversely affected the number of staff hours available to the Council.

Some aspects of the engagement of consultants, their duties and responsibilities, were covered in Contract Standing Order C13. The officer review had indicated that this Contract Standing Order did not go far enough in ensuring that consultant services were procured in such a way, securing value for money for the authority.

The use of consultants fell into two categories:

- (a) cases where the District Council had supplemented its own staffing resources with specialist advice and support for specific projects over a pre-determined period; and
- (b) cases where consultants were brought in to supplement the staffing resources of the Council where there were vacancies which were affecting basic workflow.

The officer review had concluded that the term “consultant” had not been clearly defined. The term was often used in the context of temporary members of staff which should be dealt with in a completely different manner. Consultants were non-established persons, not employed by the Council, engaged to carry out a specific task over a specific period and recruited externally. The consultant would be appointed, carry out the task allocated over a pre-determined period and then cease being employed at the completion of the project.

The Panel was informed that a definition of temporary staff was also required. Temporary staff were those appointments which covered existing posts within the Council. Temporary staff appeared on the Council’s payroll and on its staffing establishment in a temporary capacity. They were recruited directly through commercial concerns or agencies, but should be appointed within the relevant salary scale for the post being covered. The positions should be time limited so as not to create for the individual employment rights which may be detrimental to the authority as an employer. The definition of a temporary member of staff needed to include reference to a six month employment limit. Consultants needed to be procured with regard to value for money. The revised standing order needed to state that appointments were subject to competition rules set out in Contract Standing Orders, unless the Essex Procurement Hub or Capita Recruitment System had been used. These systems have in-built market testing which achieved value for money.

Service Directors should be able to appoint at up to 20% above the maximum scale point concerned if there were problems in securing an appointment, subject to budgetary considerations. The Panel was advised that legal advice services had been specifically excluded from the requirements of Contract Standing Orders and the Procurement Hub/Capita System, because of the extremely specialised advice that was required.

However, competitive quotations would still be sought for these services where this was a practical proposition. The Chief Internal Auditor indicated to the Panel that there was a small consultancy budget within internal audit and that the procurement of consultants was in accordance with Contract Standing Orders.

Councillor Mrs J Whitehouse pointed out that on page 48 of the agenda, paragraph 9 regarding "budgetary considerations and salary scales, should be able to appoint at equivalent to 20% above maximum scale point" should be amended to "up to 20% above maximum scale point." This point was agreed.

The Chief Internal Auditor confirmed to members that officers had to demonstrate best value for money when procuring the services of consultants, and this had been tested in previous audits.

**RECOMMENDED:**

That the revised Contract Standing Order C13 be approved and recommended to the Overview and Scrutiny Committee and the Council for adoption.

**23. REVIEW OF EXECUTIVE CONSTITUTION**

The Assistant to the Chief Executive presented a report to the Panel regarding the Local Government and Public Involvement in Health Act 2007 – Executive Constitution. The Act made a number of changes to the operation of local authority Executives particularly the powers of the Leader of the Council. The Act had prescribed two types of executive:

- (a) Elected Mayor and Cabinet; or
- (b) Leader and Cabinet.

The Council had been operating the Leader and Cabinet model since 2000 but differently from the 2007 Act version. Currently the Council's Leader and Cabinet Executive was the optional "weak leader" model with executive decisions made by the Council. The 2007 Act ended this executive model and replaced it with a "strong leader" model. The various functions of Council were now the sole responsibility of the Leader of the Council. However, the Council retained responsibility for non-executive functions and the governance arrangements which applied to them. The Council now needed to amend its Constitution to accord with the 2007 Act.

The members sought clarification on the period during which the Leader would serve. The Leader maintained position until they ceased to be a councillor. The Leader can resign at any time and the new Leader would continue to serve for the duration of the term. There was concern expressed regarding the power of the Leader to appoint members to the Local Councils' Liaison Committee and it was agreed that this body should be transferred to the list of appointments to be made by the Council. The

Assistant to the Chief Executive explained that the Cabinet would be asked to review all of these changes before they were put to the Overview and Scrutiny Committee.

**RECOMMENDED:**

**(1) That the amendments proposed in the report in respect of the following parts of the Constitution be approved and the additional changes agreed at the meeting be incorporated where indicated:**

**(a) Article 3**

**(b) Article 4**

**(c) Article 7 with the addition of amendments to paragraph 7.02 (between 3 and 10 councillors, updating the header)**

**(d) Council Procedure Rules**

**(e) Executive Procedure Rules**

**(f) Scheme of Delegation (Appendix 7) subject to deletion of L2 (land Drainage and Flood Defence)**

**(g) Scheme of Delegation (Appendix 8)**

**(h) Representation on Outside Organisations (Appendices 9 and 10) subject to 14 (Local Councils' Liaison Committee) transferring to Appendix 10 and further review of 21 (Victoria County History Association) and 22 (West Essex Area Forum)**

**(i) Statement regarding executive governance – subject revision of paragraph 3.3 to reflect absence of support from the community for an Elected Mayor and the Council's preference for a Cabinet as a more effective method of achieving effective service delivery.**

**(2) That, the deadline for submission of questions by Councillors be amended to "seven days" from "seven working days" in Council Procedure Rule 10.3.**

**(3) That, the proposed changes to the Constitution be approved and authority for other minor and consequential amendments be delegated to the Assistant to the Chief Executive.**

**(4) That, the views of the Cabinet on this report be submitted to this meeting prior to this report being submitted to the Council.**

**24. REVIEW OF CIVIC CEREMONIAL ARRANGEMENTS**

The Senior Democratic Services Officer, Mr S Hill, presented a report regarding the Review of Civic Ceremonial Arrangements. The Panel, at its last meeting, had agreed a scoping report on a Civic and Ceremonial Review for 2008. The scope of the review was particularly concerned with the role of the Chairman of Council, the function of Annual Council and issues which had arisen from civic events. Past Chairmen of Council had been invited to the meeting to discuss their views on their

experiences, they had answered a questionnaire which had sought views on the broad areas for review.

### **Section 1 – Vice Chairman**

Not all the respondents to the questionnaire had been Vice Chairman prior to becoming Chairman. However those that had, felt that the experience had been a valuable one. There was discussion regarding the Vice Chairman automatically becoming Chairman in the following Council year. It was felt that this could be an inflexible approach. There could be unforeseen events which precluded the Vice Chairman from taking up office. The Panel asked for the wording to be changed.

#### **AGREED:**

That, 5.02 (iv) of Article 5 be re-worded as – “It is expected that the person nominated.”

### **Section 2 – Annual Council Meeting**

It was suggested to the Panel that the Annual Council could become a more streamlined, civic event. The appointments and debates which took place could be reduced, allowing for a wider showcasing of the Chairman and the District Council. It was felt that, in the case of appointments to bodies being made, these were decided some time before the actual Council meeting and need not be discussed at the meeting.

Members thought that creating a separate meeting from Annual Council could be used for building better relationships with the local councils. This would supplement the work of the Local Councils' Liaison Committee. The Panel explored a number of other ways of “showcasing” the Chairman and the District Council. Civic dinners or civic lunch were an opportunity to invite the Chairmen of local councils to the District Council combined with a tour, not only of the Civic Offices, but places of interest in the District as well. The current Chairman, Councillor J Knapman, suggested that a presentation at Full Council, by the Chairman's charities would be useful.

However there was concern that the Annual Council would lose its significance, there was an opportunity for the Chairman to outline his or her ideas for the forthcoming year and there could also be a showcase debate.

#### **AGREED:**

That, Chairman of Council have discretion on whether there should be an extra civic meeting and the civic content of the annual meeting.

### **Section 3 – Diary and Events**

There was a single display board outside the Civic Offices which informed passers-by of the Chairman's past activities. However, members felt that a better system was needed for advising the public of the Chairman's future diary events. The Panel was told that there were plans to install an electronic display board in reception which amongst other things could advertise the Chairman's activities. It was suggested that the Leader of the Council should meet with the Chairman on regular occasions to discuss forthcoming events. There could be, as part of their induction, a formal introduction of new staff on the role of the Chairman and Vice Chairman.

Councillor Sandler said that there was open public confusion about the roles of Mayor and Chairman. The Assistant to the Chief Executive, Mr I Willett, advised that there was no real difference between Borough and District councils, although there was a greater formality in civic ceremonial terms in boroughs.

Councillor J Markham suggested that a regular advertisement in the local press on the Chairman's activities would raise the Chairman's profile. However the Panel were informed that a small advertisement in A5 size would cost in the region of £1,500 - £2,500. Mrs P Seager, the Chairman's Secretary, advised that a copy of the list of the Chairman's engagements was sent to the local press each week. It was left to their discretion as to if or how these events were covered. Mr S Hill advised the Panel that there was an A4 sized leaflet which described the process for inviting the Chairman and Vice Chairman to events.

The Chairman of Council, Councillor J Knapman, felt that stories about the Chairman should be pursued more proactively with the local press. Money raised through charitable events needed to be reported speedily. Councillor Mrs A Haigh suggested that the Chairman could have a monthly column in the local press, as local MPs had a weekly column. Officers said that newspaper reporting was being centralised away from the local area and therefore there might not in future always be enough interest in the Chairman's role. A further method of publicising the Chairman, and Councillors generally, were member's blogs, which Mr S Hill advised could be created through the Committee Management IT System.

The Chairmen had made the following suggestions for improvements and or changes. The Panel responded to each suggestion as follows:

- (a) A two year appointment for the Chairman and Vice Chairman of the Council.

**Panel Response – The Panel felt that with over 150 events per annum, there would be too many events for the Chairman to attend. It was noted that a two year appointment would need a change to the Constitution.**

- (b) Being more pro-active in promoting the Council to groups including young people.

**Panel Response – Agreed**

- (c) Encouraging invitations to schools, hospitals, services and care homes.

**Panel Response – Agreed. The Panel felt that it was a matter of policy, every school in the district should be written to, particularly secondary schools and 6th Form Colleges. Any work should be interlinked with the Youth Council and the Leader of Council.**

- (d) Chairman should be the "extended arm" of the Council and used far more to promote the Council.

**Panel Response – Agreed**

- (e) The Council could consider twinning with a European area to raise the profile of the civic role.

**Panel Response – Agreed. The Panel felt that the Council also had the option of not agreeing to do this.**



- (f) Regular meetings with press officers.

**Panel Response – Agreed.**

- (g) Interviews with new Chairman and Vice Chairman with the press.

**Panel Response – Agreed.**

- (h) Promotion via the website with more items/photographs on events and a home page link. Chairman must get as much publicity as possible.

**Panel Response – The Chairman’s section within the District Council’s website needed updating. The Panel were informed that the Committee Management System could provide for members to have their own blog, although none, had as of yet, done so. The Chairman’s role was non-political and, some felt, uninteresting to the wider public, however the Chairman’s webpages were viewed 800 times each month.**

The Chairmen had made the following comments about the Council’s understanding of the role of the Chairman, they were:

- (i) This could be enhanced by having monthly meetings with the Leader.

**Panel Response – Agreed**

- (ii) Other Chairmen of Council have far more support for Charitable Fundraising and have a far larger budget.

**Panel Response – Charitable fund raising was not part of Civic Officer’s role.**

- (iii) The role of the Chairman did not always seem to be understood and could have been given more prominence in the induction training sessions for members and officers.

**Panel Response – Agreed**

Mr S Hill suggested an “easy guide”, no more than two sides of A4 paper, for promotional purposes advising on inviting the Chairman and Vice Chairman to functions. Councillor B Sandler thought that Parish and Town Councils needed more information about the role of the Chairman. It was noted that their mayors did not outrank the Chairman of Council.

Councillor B Sandler requested an item for the next meeting, concerning the re-use of the Chairman’s crest on the Chairman’s car.

**RESOLVED:**

That, further consideration for this item be deferred to the next meeting of the Panel which was to be on Thursday 4 December 2008 at 7.30p.m.

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

This item was deferred to the next meeting of the Panel.

**26. FUTURE MEETINGS**

At 9.45p.m., the Chairman of the Panel, Councillor Mrs M McEwen, decided to close the meeting, as it had not been practical to debate all of the issues relating to the Civic Ceremonial arrangements. The next meeting of the Panel which was to be on Thursday 4 December 2008 at 7.30p.m.

# Agenda Item 5

## TERMS OF REFERENCE - STANDING PANEL

<b>Title: Constitution and Member Services</b>
<b>Status:</b> Standing Panel
<b>Terms of Reference:</b>  <ol style="list-style-type: none"><li>1. To undertake reviews of constitutional, civic, electoral and governance matters and services for members on behalf of the Overview and Scrutiny Committee.</li> <li>2. To report to the Overview and Scrutiny Committee, the Council and the Cabinet with recommendations on matters allocated to the Panel as appropriate.</li></ol>
<b>Chairman:</b> Cllr Mrs M McEwen

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<b>Constitution and Member Services Standing Panel</b>			
<b>Item</b>	<b>Report Deadline / Priority</b>	<b>Progress / Comments</b>	<b>Programme of Future Meetings</b>
(1) Review of May 2008 Elections	30 June 2008	Completed – OSC Committee 28.8.08	As indicated.
(2) Response to Government Consultation Document on the date for Local Elections in 2009.	30 June 2008	Completed – OSC Committee 28.8.08	
(3) Review of Contract Standing Orders – Engagement of Consultants	3 November 2008	<b>Completed – Report to the OSC Committee 11.12.08</b>	
(4) Review of Civic Ceremonial Functions Scoping Report	8 September 2008	<b>Completed</b>	
(5) Government Consultation Document on Weekend Voting	8 September 2008	Completed. Report due for submission to OSC on 6 November 2008	
(6) Review of Constitution – Local Government etc Act 2007 The Cabinet Constitution	3 November 2008	Completed	
(7) Overview & Scrutiny Review including Government White paper on Empowerment	12.1.09	Initial discussion on consultation results. Discussion of proposals NB OSC directed that review is completed by 16 April 2008.	
(8) Review of Civic Ceremonial Functions – Full Report	3 November 2008	To be completed by this Committee at 4 December 2008 meeting.	

<b>Constitution and Member Services Standing Panel</b>			
<b>Item</b>	<b>Report Deadline / Priority</b>	<b>Progress / Comments</b>	<b>Programme of Future Meetings</b>
(9) Member Training Review	12 January 2009		
(10) Annual Review of Financial Regulations and Officer Delegation	12 January 2009		
(11) Annual Review of Contract Standing Orders	6 April 2009		
(12) Mayors – Revised Arrangements for Petitions	To be determined.	Consultation	
(13) Time Off Entitlement to Encourage Public Service	19.12.08	To be considered at this meeting.	

## **Report to Constitution and Members Services Standing Scrutiny Panel**

**Date of meeting: 4 December 2008**

**Subject: Civic Ceremonial Function – Review 2008**

**Officer contact for further information: Simon Hill (Ext 4249)**

**Committee Secretary: M Jenkins (Ext 4607)**

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### **Recommendations:**

- (1) To receive evidence from and consider the views expressed by past/present Chairmen on the following areas:**
  - (i) the appointments process at Annual Council;**
  - (ii) proposals for improvements to the diary and events,**
  - (iii) the role and status of the Chairman;**

**and to consider whether to implement any or all of their suggestions;**
- (2) To consider whether:**
  - (i) any changes are required to the process of automatically electing the Chairman;**
  - (ii) the inclusion of the responsibility for Promoting Democracy should be placed with the Chairman of Council; and**
  - (iii) the Remuneration Panel should be requested to take account of the results of this review in respect of the of the Member Accountability Statements for the Chairman & Vice Chairman of the Council and the Leader; and**
- (3) That the Overview and Scrutiny Committee and Council be recommended to adopt a revised Constitution Article 5, incorporating changes suggested by the review and that the existing protocols on the role of the Chairman and Vice Chairman and on the Election of the Vice Chairman of the Council be incorporated in Article 5 and deleted as separate documents.**

### **Report:**

1. (Senior Democratic Services Officer) At the last meeting members agreed a scoping report on a Civic & Ceremonial Review for 2008. This report brings forward a number of issues for consideration following an officer review and also takes account of views from past Chairmen of Council and practice in other local authorities. Officers have also looked at the references to the role of the Chairman contained within the Council's Constitution.
2. The Scope of the review was agreed at the meeting of the Panel on 8 September 2008 as follows:

## Scope

### The role of the Chairman of Council

- A response to the report of the Councillor's Commission
- A review of the Council's Protocol and the Status of the Chairman
- A review of the member accountability statements contained within the constitution.
- How could the Chairman be better promoted?

### Annual Council

- Civic and Business aspects of the Annual Council
- Changes in 2009

### The Annual Civic Events

- A review of their: timing, type, relevance and affordability
- What other authorities do.

### Issues from other reviews

- An update on the last review
- Issues from Audit reports: Gifts and Hospitality, Account Handling, Bank Account Processes

## **Constitutional Elements - The Role of the Chairman & Vice Chairman of the Council**

3. Contained within the Council's Constitution are four main documents relating to the Chairman/Vice Chairman:

- (a) Article 5 (pages B10 to B12) covers the Chairing of the Council;
- (b) Protocol on the Role of the Chairman and Vice Chairman (pages S5 to S7) which covers much of the same ground as Article 5;
- (c) Protocol for the Election of the Vice Chairman of the Council (page S4 as recently amended);
- (d) Member Accountability Statements (pages W3 (Chairman) , W4 (Vice Chairman), W5 (Leader) which were intended to be the equivalent of a "job description" for Councillors holding certain positions and devised in 2001 but not reviewed since.

## **A review of the Council's Protocol and the Status of the Chairman**

4. Past Chairmen have been invited to the meeting to discuss their views on their year as Chairman and they have been sent a questionnaire was also sent to the most recent Chairmen. Their responses are attached at Annex 2. The questions posed sought views on the broad areas for review and the replies are summarised below with a commentary from officers.

### **Section 1 – Vice Chairman**

5. Two of the respondents did not have the opportunity to be Vice Chairman prior to becoming Chairman. However, those who had been Vice Chairman felt that this gave them invaluable experience and had been an opportunity to prepare for their Chairmanship. They felt that organisations had readily accepted that the Vice Chairman would attend events if the Chairman could not and that this gave an opportunity to meet some of the other Chairmen.



6. The notion of shadowing the Chairman in the Vice Chairman year seems to have worked well but is reliant on the availability of the Vice Chairman to attend the regular Chairman/Chairman's Secretary meetings, thereby keeping up to date with forthcoming events and the planning for them.

### **Commentary**

7. One question has been raised about how the Chairman would be elected if the Vice Chairman were unable to become the Chairman. An example could be if a member who was not re-elected. Paragraph 5.02 of the proposed Article 5 (attached at Annex 1) would need to be amended if members feel that the Constitution should cover this point. This situation has arisen and the Council has suspended the relevant protocol and dealt with the chairmanship on an ad hoc basis without difficulty. To suspend the Protocol requires a 65% majority in Council.

### **Section 2 – Annual Council Meeting**

8. None of the respondents thought that there should be a separate event to elect the Chairman and appoint a Vice Chairman and that other Councillors would not support this idea. There is a view, however, that the appointments to Committees etc at the Annual Meeting should be dealt with by Group Leaders beforehand or in a separate setting. Other ideas include a 'Meet the Chairman' event each year, inviting outside bodies and local councils.

### **Commentary**

9. Elsewhere on this agenda the Panel will have noted a report that describes the new legal requirements for appointments. These changes will should the appointments process less onerous to chair as the number of bodies to which appointments will be made by the Council (rather than the Leader) will reduce. In addition, no District elections are programmed for 2009. In the past the equivalent year has usually had a simpler Annual Council.

10. The Panel may wish to consider whether any further changes could be made to the Annual Meeting. Evidence from the past Chairmen indicates that there is not support for alternative or additional meetings but a desire to deal with appointments before the Council meeting so that the process is simplified. The Panel are asked to express its view on the Annual Meeting.

### **Section 3 – Diary and Events**

11. Attendance at events in any year is dependant on invitations received. All Chairmen enjoyed their year in office and the opportunity to meet different people and organisations. Support was also evident from previous Chairmen. Chairmen were complimentary about officer support they received.

12. Following Councillor Sandler's year improvements were made to the 'green' information form that is used to clarify the processing of events in which the chairman's involvement is sought. This seems to be operating well.

13. The Chairmen have made the following suggestions for improvements/changes:

- A two year appointment for chairman and vice chairman of the Council (see below).
- Being more proactive in promoting the Council to groups including young people.
- Encouraging invitations from Schools, Hospitals, Services and Care Homes.
- Chairman should be the "extended arm" of the Council and used far more to promote the Council.
- The Council could consider twinning with a European area to raise the profile of the civic role.
- Regular meetings with press officers.

- Interviews with new Chairman and Vice Chairman with the press.
- Promotion via the website with more items/photographs on events and a home page link – Chairman must get as much publicity as possible.

14. The Chairmen have made the following comments about the Council's understanding of the role of Chairman:

- This could be enhanced by having monthly meetings with the Leader.
- Other Chairmen of Council have far more support for Charitable Fundraising and have a far larger budget.
- The role of the chairman does not always seem to be understood and could be given more prominence in the induction training sessions for members and officers.

### **Commentary**

15. Two-year appointments are made by Essex County Council. In Section 4 below the extension of the role of the Chairman is more fully discussed. Having a more formal arrangement between the Chairman and the Leader/Press has merit and the Leader is happy to formalise this arrangement.

16. The idea of discussing the role of the Chairman and the differences from the role of the Leader could be included in both member and officer induction. Another idea would be to develop an 'easy guide' for the public designed to explain the Chairman's role. Such a guide could also assist those acting as event organisers.

### **Section 4 – Status of Chairman**

17. Respondents have indicated that there was sometimes confusion about the respective roles of the Chairman and Leader (and/or Mayor) which often needed to be carefully explained to the residents. There were also indications that there were some tensions when undertaking duties within the district when Town Mayor or Chairman were present.

18. Two past Chairmen made reference to the use of a Civic Car. One advocating a car for all events, another suggesting that without a car they had to 'park round the back' at functions.

19. Past Chairmen have suggested maybe having a "wearable badge" to functions when the Chain of Office was not appropriate.

### **Commentary**

20. The Government has recently published its white paper response to the report of the Councillor's Commission. This response signals the intention of the Government to place a statutory duty on Local Authorities to promote democracy. This is in addition to their expectation of increased electoral participation. The Government are advocating promotion of local democracy through programmes such as 'Civic Champions' or 'Democracy Advocates'.

21. Government ideas include:

- Working with local schools, including initiating visits to explain their role and to support active citizenship education;
- Making a positive presentation to local volunteer groups or boards about governance roles and how to apply;
- Promoting the role of the council and councillor to community and voluntary groups; and
- Developing links with town and parish councils and supporting democracy activities.

22. It is suggested that the Chairman, as the Civic Head of the Authority, is in a unique position to undertake this role as they already have the overall responsibility for promoting public involvement in the Council's work. This would also have the effect of differentiating the Leader's role in political leadership/management of the Council from that of the Civic Head. The suggestion seems to fit well with Past Chairman's comments about being involved in schools and group's.

23. Officers have suggested wording in the revised Article 5 at paragraph 5.03 (d) to cover this aspect. The role should also be reflected in the Member Accountability Statements. This aspect falls within the remit of the Remuneration Panel. The latter is already under an instruction from the Council to look again at these statements and these ideas for developing the role of the Chairman could be taken into account at the same time.

24. A 'citizenship' programme could be looked at if members were minded to look at this issue further. We are aware (through involvement with the National Association of Civic Officers Group (NACO)) that there are some good practice examples across the country that could form the basis of such a scheme. However, any extensive programme would have resource implications for the chairman and officers and would require a detailed discussion with each Chairman to establish what is practically possible.

### **Section 5 - The Annual Civic Events**

26. All Chairmen enjoyed their Civic Events giving them a chance to meet diverse groups of people; promoting the district; meeting people who have contributed their time to the community and having an input to the event.

27. All Chairmen felt that EFDC events were the best they had attended and were well organised. One area that was a common factor was a finding a venue for functions within the district which is large enough and suitable to accommodate them.

28. It was generally felt that no changes were required in the timing or type of events. Officers will continue to monitor the costs of events and will manage the current budget accordingly. No changes or budget increases are proposed.

29. Views were also expressed giving ideas for event types:

- Visits to places of interest (by the other Chairmen) as part of the Civic Lunch. This promotes their authority to other civic leaders.
- A Garden Party
- Civic Offices Open Day
- Forming links with local businesses
- Coffee mornings with representatives of local charities/ Youth Council Event.
- Inviting Town and Parish Clerks to an informal seminar about the civic role and etiquette.

29. Member's comments are sought on these ideas.

### **Section 6 – Chairman's Charity**

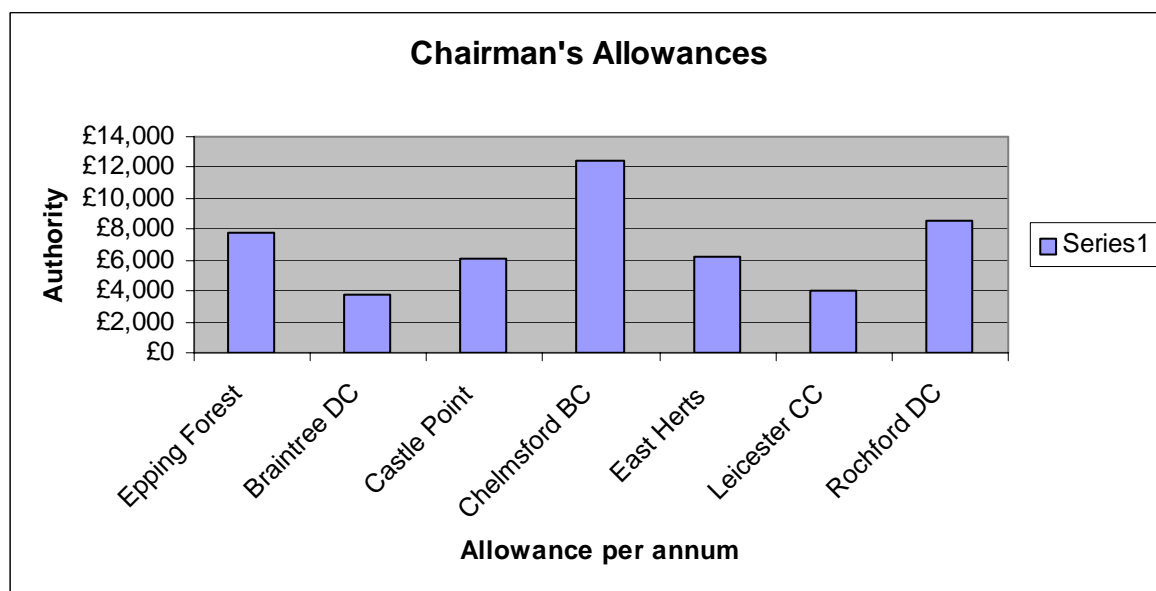
#### **Commentary**

30. Views expressed were mixed on the need for support for the Chairman's Charity although support from the officers is a common theme. Clearly, officers are spending time on charitable efforts although this is not their main function. The Chairman and the chosen charity have to provide the main thrust for any fundraising. Support to the Chairman from the charities themselves seems to have been variable. In Councillor Haigh's year, a meeting with the Charities was held in early part of the year at which the expectation of support from them was explained.

## Questionnaires to other Local Authorities

31. Through NACO we have sought responses to a questionnaire from other Local Authorities. The combined results are at Annex 3

32. The chart below shows a comparison of allowances made to the Chairman/Mayor across a number of other authorities. Epping Forest's level of allowance seem to compare favourably with others.



33. Having assessed the information provided it is evident that in Epping Forest DC have more in common with Braintree DC and Rochford DC rather than the other Councils who returned the questionnaire.

34. The result of the questionnaire shows that most Councils plan a core number of events each year, which are organised by the civic officer and paid for through Council budgets. Golf Days appear to be the only event attracting sponsorship from local companies on a regular basis. Although each Civic Head supports a charity for their year in office there is a variety of ways that the charity is supported through the job description of the Civic Officer. The support varies between none and full involvement.

35. Interestingly, of the responding authorities, only one other stated that there was confusion between the roles of the Chairman and the Leader.

## Revisions to Article 5 of the Constitution

36. The two Protocols largely reproduce the text contained within Article 5 of the Constitution. It is recommended that, as a tidying up exercise, the texts be brought together into one document in the main article. The suggested text is attached at Annex 1 to this report.

37. Members will need to decide whether changes suggested by officers, specifically those related to:

- (i) Process for the automatic appointment of the Vice Chairman; and
- (ii) Additions to the responsibilities of the Chairman;

should be adopted. The adoption of the changes would be a matter for full Council.

### **Issues from other reviews - An update on the last review**

36. In December 2006 a review was undertaken into a number of aspects of the Civic function. More officer support was secured for the Chairman. This has enabled support across three day each week. Further funding was also secured for transport giving more flexibility. New custody arrangements for Civic Regalia are being followed and are proving robust.

37. New long service awards have been designed in conjunction with the original designer of the civic regalia and are in use. These comprise Gold, Silver and Bronze service badges. Examples will be available at the meeting if members would like to see them.

### **Issues from Audit reports**

38. Internal Audit had previously raised the issue of how the Charity banking was being handled insofar as each Chairman maintains a separate charity bank account into which all donations are deposited. This process was 'outside' the Council's financial monitoring system. Agreement has been reached with Accountancy that the account would be maintained but that regular reconciliation of the account would be undertaken by Finance. Audit had no other concern about the Charity banking process that has clear measures to ensure other normal checks are made during the process.

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Proposed Changes are shown underlined

## ARTICLE 5 - CHAIRING THE COUNCIL

### 5.01 Introduction

This article sets out the role, responsibilities and duties of the Chairman of Council. The role, responsibilities and duties fall to the Vice-Chairman in the absence of the Chairman.

### 5.02 Election of Chairman of the Council and Appointment of Vice-Chairman of Council

The individual elected to the office of Chairman of Epping Forest District Council shall be elected on merit, without regard to party affiliation.

The appointment of the Vice-Chairman of the Council shall also be on the basis of merit and without regard to party affiliation in accordance with the following provisions:

(i) Nominees for the office of Vice-Chairman of the Council should in future submit a nomination form signed by not less than 12 District Councillors drawn from at least two political groups;

(ii) Nominees for Vice-Chairman of the Council may be drawn from any political group or any independent member serving on the Council;

(iii) The process of agreeing a nomination for Vice-Chairman of the Council shall be co-ordinated by the Leader of the Council in consultation with independent members and the Leaders of all political groups;

(iv) The person nominated under this article and appointed by the Council as Vice-Chairman of the Council shall automatically become the Chairman of the following Council year;

(v) It shall be open to the Council to suspend the operation of the appointment process at any Annual Council meeting if this is in the best interests of the Council. Such suspension shall, however, only be agreed if 65% of the Council membership support a motion to that effect.

### 5.03 Overall Responsibilities

The Chairman and Vice-Chairman will be elected by the Council annually. Set out below are the overall responsibilities. It will be noted that these fall into two categories i.e. 'Chairing the Council meeting' and 'Civic/Ceremonial'. Further information on these two roles is set out in 5.04 - 5.06.

(a) to uphold and promote the purposes of the Constitution, and to interpret the Constitution when necessary;

- (b) to preside over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of Councillors and the interests of the community;
- (c) to ensure that the Council meeting is a forum for the debate of matters of concern to the local community and at which members who are not on the Executive or hold Committee Chairmen are able to hold the Executive and Committee Chairmen to account;
- (d) to promote public involvement and local democratic engagement (CLG white paper – Response to Councillors Commission) in the Council's activities;
- (e) to uphold the Members' Charter; and
- (f) to attend such civic and ceremonial functions as the Council and he/she determines appropriate.

#### **5.04 Chairing the Council Meeting**

The Chairman shall undertake the following duties:

- (a) to determine that meetings of the Council are properly constituted and that a quorum of members is present;
- (b) to be informed as to the business and objects of meetings;
- (c) to preserve order in the conduct of those present;
- (d) to confine discussion within the limits required by the business to be determined and within a reasonable period of time;
- (e) to rule on the admissibility of motions and amendments put in debate by the Members' of the Council;
- (f) to formulate summaries of those issues arising in debate for the consideration of the meeting;
- (g) to adjudicate on points of order and personal explanation raised at meetings and other incidental issues;
- (h) to determine the proper and most appropriate method of voting on any question before the Council;
- (i) to put relevant questions to the meeting, secure orderly votes thereon and declare the result;
- (j) to inform the Council whether he or she will vote on any matter to be determined;
- (k) to give, if appropriate, a second vote or a casting vote in order to deal with an equality of votes in the circumstances set out in this Article;



(l) to adjourn any meeting of the Council should the circumstances justify or require it, having first of all taken such steps to establish that Members' of the Council support such action;

(m) to read out any motion to exclude the press and public from meetings and to seek the consent of the Council; and

(n) to sign the minutes of Council meetings as a correct record, following approval by the Council.

In carrying out these duties, the Chairman shall at all times act in accordance with legal requirements as advised by the Chief Executive, shall take care to ensure that the rights of individual members shall at all times be protected and, in the conduct of meetings shall disregard considerations arising from political affiliation and shall always have regard to the civic dignity of the Council and the office of Chairman.

### **5.05 Use of Casting Vote**

The Chairman of the Council shall, at all times, have due regard to the requirements of the Constitution and statute law concerning the use of a "second" or "casting" vote. The Chairman shall:

(a) give a "second" vote (after voting previously on the issue) or a "casting" vote (having not voted previously) on any issue on which there is equality of voting;

(b) shall issue a "second" or "casting" vote in favour of the status quo unless there is a legal requirement to vote otherwise than for the status quo;

(c) may decline to give a second or casting vote if an affirmative vote is not required on grounds of urgency or otherwise and an opportunity will arise to consider the matter again, within a reasonable period; and

(d) shall, in the circumstances outlined in (c) above, explain such a decision to the Council.

### **5.06 Civic/Ceremonial Role**

(a) In the carrying out of civic duties on behalf of the Council, the Chairman shall at all times act in a way consistent with the dignity of the office of Chairman and the policies of the Council.

(b) The Chairman of Council as first citizen in the district and the representative of the Queen will take precedence in the absence of the Lord Lieutenant of Essex. If the Chairman is invited to a function organised or within the district he/she is always the Guest of Honour.

(c) When the Chairman of Council is invited to carry out duties at an official Council function (e.g. naming of a street or opening of Council buildings), the following people should be invited to attend:

(i) the Chairman of the Committee or member of the Executive responsible for the function;

(ii) the Leader of the Council or a member of Cabinet nominated by him;

- (iii) if unavailable, the Vice-Chairman of Committee or another member of the Executive deputises;
- (iv) district members for the ward in question;
- (v) the Service Director responsible for the function;
- (vi) Parish Chairman or Town Mayor;
- (vii) other members and officers agreed by the Chairman of Council, the Chairman of Committee, the Leader of the Council and the Service Director; and
- (viii) the Public Relations and Marketing Officer will attend appropriate functions when the press are invited.

#### **5.07 Absence of Chairman and Vice-Chairman**

There may be occasions when the Chairman of the Council or Vice-Chairman of the Council cannot attend functions. In these circumstances, the Chairman of the Council shall nominate a past Chairman of the Council or other appropriate member to act on his behalf at any such event.

# Questionnaire for Epping Forest District Council – Civic Review

From Name .....

*Mr Brian J Sandwell*

.....



Please return by Friday 10 October 2008

Questions	Answers
<p><b>Vice Chairman</b></p>	
<p>1. In what way did your year as Vice Chairman give you an insight into the role of the Chairman?</p>	<p>I was installed as Chairman without the opportunity to be Vice Chairman so cannot answer this question. However, my Vice Chairman thanked me for all the assistance she received though my Year of Office and said it helped her.</p>
<p>2. What was your view of attending events that year?</p>	<p>As above</p>
<p>3. What was your understand of the role of Vice Chairman?</p>	<p>To assist the Chairman at all meetings and to stand in at events the Chairman cannot attend.</p>
<p><b>Annual Council</b></p>	
<p>1. Does the Annual Council give enough civic emphasis to the appointment of the Chairman of Council?</p>	<p>No. An explanation of the status of the office should be given by a senior officer at the Annual Council so that new members are aware, members are reminded and proper publicity is given.</p>
<p>3. Do you think that the appointment of the new Chairman and Vice Chairman should be held at a separate civic style event to the appointment of outside bodies?</p>	<p>As we have a Chairman and not a Mayor, we do not have a Mayor making ceremony, so I believe the appointment of the Chairman at the Annual Council is correct. But - I am always willing to listen to new ideas.</p>
<p>4. Do you think other councillors would support two Annual Council meetings?</p>	<p>Interesting thought but it would depend on the content of the meeting!</p>
<p>5. In what way could the Annual Council be improved?</p>	<p>Being the first meeting a new Chairman Chairs, it is always rather daunting and unfortunately, the various Leaders of Parties always feel that they have to argue on who gets what place on which committee. Life would be much easier and look far more professional if they were to have a proper pre-meeting to sort out their differences before presenting them to the public.</p>



# Questionnaire for Epping Forest District Council – Civic Review

From Name ... *Ellie Brian Sandwell* .....

Please return by Friday 10 October 2008



Diary/ Events	
1. What you enjoy/dislike about your year as Chairman?	I enjoyed every aspect of my year as Chairman especially meeting so many of the wonderful people, both young and old who do so much for others without reward. Without so many wonderful volunteers the country would collapse.
2. What information did you receive before attending events?	My PA, Pat was wonderful, she made sure that I had as much information of the event as possible – what to wear – was a hat required for my wife – who I was meeting – who would be greeting me and if a speech was required, I was always fully briefed on the content or it was already prepared for me to present. Without such a good PA the year could have been awful and even more stressful.
3. Was the information provided sufficient for you to carry out your role?	Mostly.
4. Were the weekly meetings with a Civic Officer useful?	Very much so.
5. How could things be improved?	By providing a Limousine and driver for the Chairman to all events. It can be very embarrassing representing an authority and driving oneself to events, having to park with the other councils limos and walk back to the event unaccompanied when all other Chairman are driven, dropped off and collected at the door.
6. How could we promote the Chairman of Council through other routes? i.e. visit to school/hospitals/ emergency services. Please give examples.	All Schools, Hospitals, Care Homes and Services should be encouraged to invite the Chairman to visit. I visited some and found the experience very rewarding. The Chairman should be the extended arm of the Council and used far more to promote the good works of the council.



# Questionnaire for Epping Forest District Council – Civic Review

From Name ..... *Ellie Brian P. SANDER* .....

Please return by Friday 10 October 2008



7. Could we improve our promotion of the Chairman through the press and website?	Very much so. Epping Forest District Council Chairman gets very little publicity in the local press unless the Chairman takes his/her own camera. If the press are not attending an event then our press office should always where possible, send in photos and covering story.
8. Do you think the 'council' acknowledge the relevance of the Chairman of Council role?	No. Other Chairmen and Mayors have far more support with charitable fund raising and events committees. We seem to leave it all up to the Chairman and his/her PA. They also have a Far Larger Budget.
9. What other ideas for types of events would you suggest?	Forming a better relationship with all local businesses would be good public relations. They could be encouraged to put on charity events on behalf of the Chairman's charities. It's not so terrible giving them publicity, we can all benefit. We should also make far more use of our sites of interest throughout the district.
10. Are there suggestions for events that you saw at other authorities that we could follow?	All other authorities promote their area far more than we do.
<b>Status of Chairman</b>	
1. Did you encounter any confusion between the role of Chairman and the role of Leader?	Yes, many people seem to think that the Chairman and Leader are the same Office and look for the Mayor.
2. Were you always afforded the appropriate status?	No, especially with our own Town/Parish Councils – Some think that their Chairman/Mayors outrank the District Chairman. London Authorities always put Mayors before Chairman.





# Questionnaire for Epping Forest District Council – Civic Review

From Name ... *Ellie Brian P Sandilands* .....



Please return by Friday 10 October 2008

3. What improvements that could be made?

Invite all Town & Parish Clerks to an informal seminar to educate them in status etiquette.

## Civic Events

1. What did you enjoy about your Civic Events?

Meeting so many people from diverse areas of the populace and promoting Epping Forest District and obviously the red carpet respect given to the High Office.

2. With hindsight would you have arranged events at different times of the year?

No

3. Different venues?

No, because the choice of venues in the district is not extensive.

4. What do venues need?

Good ambience, plenty of space, comfortable chairs and parking facilities.

4. How did events arranged by EFDC compare with events organised by other councils?

Very well, particularly our Civic Dinner, when we present awards to the various services with all the Mayors/Chairman from all the other authorities in attendance is always successful and gets highly complemented by the other Councils.

## Charity

1. What are your views on the Chairman's Charity?

A wonderful opportunity to collect money for good causes but we should have a dedicated charity committee like so many other authorities. Not just leave it to the Chairman to get prizes, arrange events etc;

2. What support (Internal/external) was given in support of your charity?

Apart from the Golf Day, Quiz Evening and advice from the PA very little, I provided all the prizes for all events and it was very expensive at times.

Please return form to Pat Seager, Chairman's Secretary, Epping Forest District Council, Civic Offices, Epping, Essex CM16 6SY



# Questionnaire for Epping Forest District Council – Civic Review

From Name ..... *Caroline Ford* .....

Please return by Friday 10 October 2008



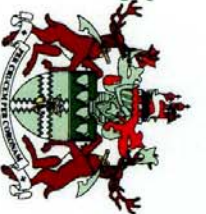
Questions	Answers
<p><b>Vice Chairman</b></p> <p>1. In what way did your year as Vice Chairman give you an insight into the role of the Chairman?</p>	
<p>2. What was your view of attending events that year?</p>	<p>It gave invaluable experience of the CM's role &amp; representing the Council at functions. He enjoys undertaking a wide range of quite varied functions. He sits at the "top table" of all Council + staff's briefings reviewing a Chair. It gives time to prepare for the coming year and decide on a chair's, any particular interests.</p>
<p>3. What was your understand of the role of Vice Chairman?</p>	<p>Enjoyable and good practice for the following year. These arrangements are well served pleased to see the VC attend if the chair could not. Vice to meet some of the other chairs.</p>
<p><b>Annual Council</b></p>	<p>To support, and deputise for the CM. To be non-political.</p>
<p>1. Does the Annual Council give enough civic emphasis to the appointment of the Chairman of Council?</p>	<p>Yes.</p>
<p>3. Do you think that the appointment of the new Chairman and Vice Chairman should be held at a separate civic style event to the appointment of outside bodies?</p>	<p>No. Would that be legal anyway?</p>
<p>4. Do you think other councillors would support two Annual Council meetings?</p>	<p>No.</p>





# Questionnaire for Epping Forest District Council – Civic Review

From Name ..... *Laoline Pond* .....



Please return by Friday 10 October 2008

5. In what way could the Annual Council be improved?	I think it is fine as it is. Much use Eagle requirement and has to be done. Outside body appointments could be sorted out before hand to save time if possible.
Diary/ Events	
1. What you enjoy/dislike about your year as Chairman?	I enjoyed it all very much, including chairing full Council which saved doubling at first. Some events are worth perhaps not wish to attend again, but none is fine.
2. What information did you receive before attending events?	Normally very full information of the event, location, timing, people to meet etc. Green Farm very useful.
3. Was the information provided sufficient for you to carry out your role?	Yes.
4. Were the weekly meetings with a Civic Officer useful?	Extremely useful.
5. How could things be improved?	What sort of catering, if any, needs to be stated on the form. otherwise normally very efficient.
6. How could we promote the Chairman of Council through other routes? i.e. visit to school/hospitals/ emergency services. Please give examples.	The school and col park who visited the chamber during the year were very interested, as were the guides who I visited. The chamber visits were worthwhile - we could be more proactive in promoting these.





# Questionnaire for Epping Forest District Council – Civic Review



From Name ..... Baroline Ford .....

Please return by Friday 10 October 2008

7. Could we improve our promotion of the Chairman through the press and website?	Reasonable coverage already. Perhaps an interview when the new CM is elected with the press. The link on website to CMs events is good idea but more events should be included. More prominence on the home page. Give prominence to the CM's role in introductory briefing sessions to members + officers
8. Do you think the 'council' acknowledge the relevance of the Chairman of Council role? <u>Not always</u>	Visits to places of interest in the District by Chairman e.g. Enfield's Chapel manor, Uthelands' Soften Wood Museum. We could do the Warren, Copthall, Sunford Farm, etc, Museum etc
9. What other ideas for types of events would you suggest?	
10. Are there suggestions for events that you saw at other authorities that we could follow?	Yes. Leaders and elected members prominence in the news system and their desire for publicity. Res can be confusion both by public and council.
<b>Status of Chairman</b>	
1. Did you encounter any confusion between the role of Chairman and the role of Leader?	Generally confusion sometimes between MP, Chairman of County Council, and even Epping Town Mayor.
2. Were you always afforded the appropriate status?	Lack of an official card, want sometimes being sent round the back for a location.
3. What improvements that could be made?	Add a paragraph to the Green Leaflet re protocol. Go for Borough status - Mayor might have more status. Don't not back up the justifying as a pass etc.



# Questionnaire for Epping Forest District Council – Civic Review

From Name ..... *Baseline Pad* .....



Please return by Friday 10 October 2008

Civic Events	
1. What did you enjoy about your Civic Events?	<p>Meeting those who contribute of their time in community activities, both public and representatives from other authorities. The young pair <del>the input</del> <sup>the input</sup> to all 3 events <del>which I attended</del>. They were <del>right</del> <sup>right</sup> <del>at</del> <sup>at</sup> the year.</p>
2. With hindsight would you have arranged events at different times of the year?	<p>No</p>
3. Different venues?	<p>No</p>
4. What do venues need?	<p>To be in the District. Sufficient size. Unusual enough to impress, and interest guests. Affordable. Good food.</p>
4. How did events arranged by EFDC compare with events organised by other councils?	<p>Very well. The time put into planning the events certainly paid off. Don't not quantify. We were much better organised than many other councils.</p>
<b>Charity</b>	
1. What are your views on the Chairman's Charity?	<p>Good idea to have a charity, but Pad became too important to the chairman's role.</p>
2. What support (internal/external) was given in support of your charity?	<p>Not much by my charity - 2 deliberated close a Pad Pad one. Pad of welcome support from the <del>chairman's</del> <sup>chairman's</sup> night, the <del>good</del> <sup>good</sup> days, and advice.</p>

Please return form to Pat Seager, Chairman's Secretary, Epping Forest District Council, Civic Offices, Epping, Essex CM16 6SY





# Questionnaire for Epping Forest District Council – Civic Review

From Name ..... Ann Stratton .....

Please return by Friday 10 October 2008



Questions	Answers
<p><b>Vice Chairman</b></p> <p>1. In what way did your year as Vice Chairman give you an insight into the role of the Chairman?</p>	<p>Through attending full Council meetings, deputising for Chairman at events, briefing staff officers. Attending Chairman's fund raising events.</p>
<p>2. What was your view of attending events that year?</p>	<p>Enjoyed the opportunity to be visible for the Chairman &amp; district and to attend events in my own given good to have this opportunity &amp; preparation for my year in office</p>
<p>3. What was your understand of the role of Vice Chairman?</p>	<p>As support to the Chairman &amp; an appointment</p>
<p><b>Annual Council</b></p>	
<p>1. Does the Annual Council give enough civic emphasis to the appointment of the Chairman of Council?</p>	<p>Yes</p>
<p>3. Do you think that the appointment of the new Chairman and Vice Chairman should be held at a separate civic style event to the appointment of outside bodies?</p>	<p>No - The annual meeting is best - know there could be a nice to chairman event -</p>
<p>4. Do you think other councillors would support two Annual Council meetings?</p>	<p>No. I think there may be a loss attendance &amp; there are budget issues</p>







# Questionnaire for Epping Forest District Council – Civic Review

From Name .....



Please return by Friday 10 October 2008

7. Could we improve our promotion of the Chairman through the press and website?	<p>Holden your meet - with press office, people advise the website - I received a contact from an ex member of young who had spoken with 20 years ago <del>in the past</del> for young who had spoken with 20 years ago.</p>
8. Do you think the 'council' acknowledge the relevance of the Chairman of Council role?	<p>yes but it could be enhanced for example meetings may not be better held by chairman.</p>
9. What other ideas for types of events would you suggest?	<p>offer more with representing local clubs in celebration of youth activities.</p>
10. Are there suggestions for events that you saw at other authorities that we could follow?	<p>having in our parks a tour guide to the place of interest in the park as a subject. The previous tour was about the other and leaders. (The in all, museum the other place)</p>
<b>Status of Chairman</b>	
1. Did you encounter any confusion between the role of Chairman and the role of Leader?	<p>if an election necessary to point out the duties to avoid -</p>
2. Were you always afforded the appropriate status?	<p>Chairman were the line - do he includes duties at events with the district - other there was a tour again.</p>
3. What improvements that could be made?	<p>I think there has been work - professional etc</p>



# Questionnaire for Epping Forest District Council – Civic Review



From Name .....

Please return by Friday 10 October 2008

## Civic Events

1. What did you enjoy about your Civic Events?	Promotion of District Councils to other libraries or venues - especially the other libraries in our area
2. With hindsight would you have arranged events at different times of the year?	I think it is good to have the events during the winter months
3. Different venues?	I would like to see more venues used for the events
4. What do venues need?	To be able to provide good quality food & facilities to make the events successful
4. How did events arranged by EFDC compare with events organised by other councils?	Ours were much more organised & so far as other councils were concerned they were very good
<b>Charity</b>	
1. What are your views on the Chairman's Charity?	I believe it is a good way for the council to support the charity
2. What support (internal/external) was given in support of your charity?	The Chairman needs to be supported in promoting the charity. Staff were very helpful in attending to the queries. There were many enquiries about the charity and they were very helpful in providing information.

Please return form to Pat Seager, Chairman's Secretary, Epping Forest District Council, Civic Offices, Epping, Essex CM16 6SY

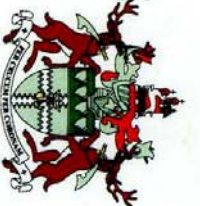




# Questionnaire for Epping Forest District Council – Civic Review

From Name ..... *Richard Morgan* .....

Please return by Friday 10 October 2008



Questions	Answers
<b>Vice Chairman</b> 1. In what way did your year as Vice Chairman give you an insight into the role of the Chairman?	N/A
2. What was your view of attending events that year?	N/A
3. What was your understand of the role of Vice Chairman?	To support chairman and deputise at events
<b>Annual Council</b>	
1. Does the Annual Council give enough civic emphasis to the appointment of the Chairman of Council?	Yes, but ↘
3. Do you think that the appointment of the new Chairman and Vice Chairman should be held at a separate civic style event to the appointment of outside bodies?	It would be nice to try a separate civic event for appointments.
4. Do you think other councillors would support two Annual Council meetings?	Probably Not!!

# Questionnaire for Epping Forest District Council – Civic Review

From Name ..... Richard Morgan .....

Please return by Friday 10 October 2008



5. In what way could the Annual Council be improved?	I write outside bodies and parial council representatives.
Diary/ Events	
1. What you enjoy/dislike about your year as Chairman?	Enjoyed travelling all over the country. meeting so many different people in other authorities, and seeing so many new places. Dislike. When the year was over!!
2. What information did you receive before attending events?	Full information on the Green Form.
3. Was the information provided sufficient for you to carry out your role?	Yes, but would have been easier if the chairman had Sat - Nav.
4. Were the weekly meetings with a Civic Officer useful?	Yes very useful.
5. How could things be improved?	Have a 2 year appointment as chairman.?
6. How could we promote the Chairman of Council through other routes? i.e. visit to school/hospitals/ emergency services. Please give examples.	The Mayor of a Borough seems to get a higher Profile than the chairman of council although they are the same role. Services, more liaison with visits to Emergency Services, more liaison with local Councils.



# Questionnaire for Epping Forest District Council – Civic Review

From Name ..... Richard Morgan .....

Please return by Friday 10 October 2008



7. Could we improve our promotion of the Chairman through the press and website?	<p>Press very good in my year, as we get on well with the Editor of Guardian. The Chairman must get as much media publicity as possible. Website - how many people look at it?</p>
8. Do you think the 'council' acknowledge the relevance of the Chairman of Council role?	<p>Yes I hope so.</p>
9. What other ideas for types of events would you suggest?	<p>Garden Party. Open day at the office.</p>
10. Are there suggestions for events that you saw at other authorities that we could follow?	<p>I think we do more events than most authorities now, all of which have been very well organised. I saw no events which we could follow.</p>
<p><b>Status of Chairman</b></p>	
1. Did you encounter any confusion between the role of Chairman and the role of Leader?	<p>No, not confusion between the role of Chairman and leader, but confusion between Chairman and Mayor, or. Mayor's seemed to command more attention in their Roles.</p>
2. Were you always afforded the appropriate status?	<p>Yes apart from above. Also confusion between Mayor and Chairman</p>
3. What improvements that could be made?	<p>When the Chairman is on informal events and not wearing the full chain, have a some sort of badge with the Council Crest and Name and Chairman of Council</p>

1 E. Blazer Embroidered Badge for men and women similar for ladies.  
More use of a car Crest or flag.



# Questionnaire for Epping Forest District Council – Civic Review

From Name ..... *Richard Morgan* .....



Please return by Friday 10 October 2008

## Civic Events

1. What did you enjoy about your Civic Events?	<p>Enjoy entertaining a variety of different people and the honour of representing E.F.DC.</p>
2. With hindsight would you have arranged events at different times of the year?	<p>Events at present are spread out well enough out the year.</p>
3. Different venues?	<p>No. all present venues for civic events very good.</p>
4. What do venues need?	<p>Plenty of room good parking and most of all a special attraction to guests. Wat a village Hall !!</p>
4. How did events arranged by EFDC compare with events organised by other councils?	<p>Events arranged by E.F.DC were the best. This is due to the very efficient Chairmen P.A. and other helpful officers.</p>
<b>Charity</b>	
1. What are your views on the Chairman's Charity?	<p>A most important part of the Chairman's role, helping as many local charities</p>
2. What support (internal/external) was given in support of your charity?	<p>Excellent support from all our officers and from the general public. It does depend on what the charities the Chairman supports.</p>

Please return form to Pat Seager, Chairman's Secretary, Epping Forest District Council, Civic Offices, Epping, Essex CM16 6SY



# ANNEX 3 Questionnaire for Epping Forest District Council - Civic Review 2008 Compilation of Results



Question	Answer
1. What is your Chairman/Mayors allowance for the year?	Epping Forest DC £7760 Braintree DC £3810 Castle Point BC £6137 Chelmsford BC £12500 East Herts DC £6250 Leicester CC £4000 Rochford DC £8500
2. What is your Civic Ceremonial Budget for the year?	Epping Forest DC £17620 Braintree DC £17340 Castle Point BC £9500 Chelmsford BC £21250 East Herts DC £4550 Leicester CC £23300 Rochford DC £10000
3. How is this budget broken down?	Epping Forest DC Braintree DC Castle Point BC Chelmsford BC East Herts DC - Leicester CC Rochford DC various breakdown between costs





# ANNEX 3 Questionnaire for Epping Forest District Council - Civic Review 2008 Compilation of Results

Question	Answer
4. How many events does you Chairman/Mayor attend during their year in office?	<p>Epping Forest DC 150 - 180            Braintree DC 90            Castle Point BC 400            Chelmsford BC 300-400            East Herts DC 60            Leicester CC 700            Rochford DC 150</p>
5. What type of events would your Chairman/ Mayor attend?	<p>Epping Forest DC - Local events/charity/EFDC events/other Essex events            Braintree DC - Local events/charity/Braintree DC events/other Essex events            Castle Point BC - School tours/charity/local events/other Essex events            Chelmsford BC - attends as many events as possible/does not refuse invite            East Herts DC - Openings/ Civic Functions/ Charity Events/ Openings,            Leicester CC - Local community events/charity/City events/other auth. events            Rochford DC - Civic events/charity/church services</p>
6. How many Civic Events does the Chairman host in a Civic year?	<p>Epping Forest DC 5            Braintree DC 2            Castle Point BC 8-10            Chelmsford BC 8            East Herts DC 2            Leicester CC 50-120            Rochford DC 3</p>





# ANNEX 3

## Questionnaire for Epping Forest District Council - Civic Review 2008

### Compilation of Results



Question	Answer
7. What type of events are organised?	<p>Epping Forest DC - Golf Days/Carol Service/Multi Faith Service/Civic Lunch/Civic Awards</p> <p>Braintree DC - Civic Recp/Golf Day/Volunteer events/Celebrations/PC</p> <p>Castle Point BC - Afternoon Teas/Firework Festival/ Christmas Carols &amp; Reception/Civic Dinner/ Remembrance Day events</p> <p>Chelmsford BC - Church services/Remembrance Sunday/ Receptions/ Tree Planting/ Community Evening</p> <p>East Herts DC - Civic Dinner &amp; Civic Service</p> <p>Leicester CC - Civic Dinners/receptions/teas/church services/charity events</p> <p>Rochford DC - Civic Dinner/ Reception/Carol Service</p>
8. Who is invited to attend these events?	<p>Epping Forest DC - Dist Cllrs /Lord Lieu/High Sheriff/Chain Gang/com reps/MP</p> <p>Braintree DC - Dist Cllrs /Lord Lieu/High Sheriff/Chain Gang/com reps/MP</p> <p>Castle Point BC - Dist Cllrs /Lord Lieu/High Sheriff/Chain Gang/com reps/MP</p> <p>Chelmsford BC - Dist Cllrs /Lord Lieu/High Sheriff/Chain Gang/com reps/MP</p> <p>East Herts DC - Dist Cllrs /Lord Lieu/High Sheriff/Chain Gang/com reps/MP</p> <p>Leicester CC - Dist Cllrs /Lord Lieu/High Sheriff/Chain Gang/com reps/MP</p> <p>Rochford DC - Dist Cllrs /Lord Lieu/High Sheriff/Chain Gang/com reps/MP</p>
9. Are these events paid for by the council or by outside sponsorship?	<p>Epping Forest DC - Golf Day Sponsorship/ other events by council</p> <p>Braintree DC - Golf Day Sponsorship/ other events by council</p> <p>Castle Point BC - a % of civic dinner sponsorship/ other events by council</p> <p>Chelmsford BC - All events by council</p> <p>East Herts DC - mainly through City council budget/occasional sponsorship</p> <p>Leicester CC - mainly through City council budget/occasional sponsorship</p> <p>Rochford DC - All events by council</p>





# ANNEX 3 Questionnaire for Epping Forest District Council - Civic Review 2008 Compilation of Results

Question	Answer
10. Can you please supply a breakdown of costs?	Epping Forest DC Braintree DC Castle Point BC Chelmsford BC East Herts DC - Leicester CC Rochford DC  various breakdown between costs
11. Do these events change every year with each Chairman/Mayor or do you stick to a traditional series of events each year?	Epping Forest DC – similar each year Braintree DC – similar each year Castle Point BC – similar each year Chelmsford BC – similar each year East Herts DC - similar each year Leicester CC – similar each year Rochford DC – similar each year
12. Is there ever any confusion between invitations to Chairman/ Mayor and Leader of Council?	Epping Forest DC – yes (Chairman) Braintree DC - yes (Chairman) Castle Point BC - no (Mayor) Chelmsford BC - very rarely (Mayor) East Herts DC - no (Chairman) Leicester CC - very rarely (Mayor) Rochford DC - no (Chairman)
13. If yes, how do you resolve these issues?	Epping Forest DC - ? Braintree DC - contact organiser Castle Point BC - n/a Chelmsford BC - contact organiser East Herts DC - n/a Leicester CC - contact organiser Rochford DC - n/a





# ANNEX 3 Questionnaire for Epping Forest District Council - Civic Review 2008 Compilation of Results

Question	Answer
14. Does your Chairman/ Mayor support a charity?	Epping Forest DC - yes Braintree DC - normally Castle Point BC - yes Chelmsford BC - yes East Herts DC - yes Leicester CC - yes Rochford DC - yes
15. How much support is given by the council to the Chairman/Mayors Charity?	Epping Forest DC - depends on the event Braintree DC - minimal Castle Point BC - no Chelmsford BC - no East Herts DC - variable Leicester CC - for the 3 main charity events Rochford DC - yes
16. If yes, is this support included in the support officers job description?	Epping Forest DC - no Braintree DC - yes Castle Point BC - no Chelmsford BC - no East Herts DC - no Leicester CC - yes Rochford DC - yes



# ANNEX 3 Questionnaire for Epping Forest District Council - Civic Review 2008 Compilation of Results



Question	Answer
17. Do you have any innovative schemes? If so please provide details.	Epping Forest DC - ? Braintree DC - no Castle Point BC - no Chelmsford BC - no East Herts DC - no Leicester CC - Citizen of the Year Rochford DC - Quiz night, golf days, district tours
18. Do you have a protocol for your Chairman/mayor? If yes may we have a copy of it?	Braintree DC - enclosed Castle Point BC Chelmsford BC - enclosed East Herts DC Leicester CC Rochford DC - enclosed
19. May we have a copy of your job description?	Braintree DC - under review Castle Point BC - enclosed Chelmsford BC - not available East Herts DC - enclosed Leicester CC - not available Rochford DC - not enclosed





## **Report to Constitution and Members' Services Standing Panel**

**Date of meeting: 4 December 2008**

**Subject: Consultation: Standing for Office: Time-off Entitlements**

**Contact for further information: C Overend (ext 4247)**

**Committee Secretary: M Jenkins (ext 4607)**

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### **Recommendation:**

**That the Panel address and comment on the questions listed in the report to enable the Council to respond to the Government Consultation.**

### **Report**

1. The Government White Paper 'Communities in Control: Real People, Real Power' published in July 2008 set out a range of policies with a view to returning power to local communities. It has agreed a series of consultation papers covering the following aspects:

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

2. Communities and Local Government (the CLG) is now inviting comments on the recently released consultation paper in respect of Time-Off Entitlements. A copy of the consultation paper is appended to this report.

...

3. There are a number of specific comments and questions on which the consultation paper invites a response:

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

- employees can build competencies and develop skills which can be used in their jobs and could in some cases be part of ongoing personal development and training;
- support from employers can be categorised as contribution to Corporate Social Responsibilities which can, in turn, make a company more attractive to customers or clients as well as an appealing place to work for current or future employees; and
- there is some evidence that flexible working practices have improved the productivity of their businesses;

- (b) Do you agree with 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
- (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?
- (e) Do you agree that this proposed entitlement should cover the main TMO, ALMO or RSL Boards only rather than members of other governance committees below TMO, ALMO or RSL Board level?
- (f) Are the barriers to undertaking a charity trustee or other governance position different from those barriers which prevent people from committing to regular volunteering? If so, how?
- (g) 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?
- (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?
- (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?
- (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?
- (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?

**Other means of responding:**

4. If you have any comments to make on the consultation paper please advise Chris Overend on 01992 564247 in advance of the Panel meeting. As an alternative, should you wish to comment as an individual you can do so via e-mail [timeoffentitlements@communities.qsi.co.uk](mailto:timeoffentitlements@communities.qsi.co.uk) or in writing to Time Off Entitlements Consultation, Communities and Local Government, Zone 5/A2, Eland House, Bressenden Place, London SW1E 5DU.

5. All members had been consulted about this in the Members Bulletin, dated ?? November 2008.

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## Introduction

1. Estimates have put the current number of citizens involved in formal governance roles at more than 450,000 people. This represents approximately 1 per cent of the population although 9 per cent of the population have taken part in some civic activism role in the past 12 months – including sitting on some decision making group.
2. Participation in civic roles allows people to get involved in direct decision-making in their communities. This involvement can bring a range of benefits to those individuals taking part and to their wider community.
3. But there is significant evidence that those people undertaking these roles are not drawn from a representative spectrum of the population and that individuals taking part often have multiple roles. We want the pool of people serving their communities in this way to be deepened.
4. More and different people need to be encouraged into governance roles. Younger people particularly are perceived to be difficult to target. As with volunteering more generally, a lack of time is frequently mentioned as a key barrier to involvement in governance positions. People have limited time to get involved, and there is a perception that any kind of involvement in the community is time consuming and requires a large commitment.
5. There were a number of proposals cited in the White Paper “Communities in Control: Real People, Real Power” which will contribute to encouraging more and different people to take up civic roles including:
  - Making it easier for people to find information on the range of ways they could be active in civic roles in their communities
  - Introduction of a new duty on local authorities to promote democracy which will involve councils explaining to local communities how to be a councillor or take up other civic roles
  - Support for a Take Part local pathfinder programme offering information and training on how to be an active citizen. This will build on the existing Take Part network and specifically target underrepresented groups.
  - A review of relevant qualifications and modules so that the contribution citizens make and the skills they develop can be recognised through accreditation
  - Providing better information for employers outlining the commitments but also the benefits and working with Business in the Community incentivising businesses to support their employees participating through the “Community Mark.”

This consultation is specifically focusing on our commitment to consult on extending time off entitlements to specific civic roles, modernising the list to reflect changes to the nature and types of civic roles available and also to consider other ways to encourage participation in governance roles in third sector organisations.

## Current Legislation

The current legislation under Section 50 of the Employment Rights Act 1996 states that if you carry out one of the roles listed you are entitled to time off work to carry out your role. This includes:

- Justice of the peace (magistrate);
- Member of a local authority;
- Member of a police authority;
- Member of any statutory tribunal;
- Member of a relevant health body;
- Member of the managing or governing body of an educational establishment;
- Member of the governing body of a further or higher education corporation;
- Member of a school council or board in Scotland;
- Member of the General teaching Councils for England and Wales;
- Member of the Environment Agency or the Scottish Environment Protection Agency;
- In England and Wales, prison independent monitoring boards; and in Scotland, prison visiting committees; and
- Member of Scottish Water or a Water Customer Consultation panel.

The legislation operates flexibly in that individuals are allowed reasonable time off to go to meetings or to carry out duties. The time must be agreed with employers beforehand and a specific amount of time off is not laid down in law. Employers do not have to pay individuals whilst they take time off, although many do.

The law on time off for public duties was reviewed in 2006/07 under BERR's Simplification Plans and was found to be working well. Stakeholders felt that revised guidance would be more effective than changing the terms of the legislation. BERR published this guidance in spring 2007 and it can be found at: <http://www.direct.gov.uk/en/Employment/Employees/WorkingHoursAndTimeOff/DG10028529>

We are therefore not proposing to make any changes to the terms of the entitlement. Instead we are focusing on what other roles should be added to the existing legislation to bring some consistency and equality across a number of civic roles. We have focused on roles which are in some way related to governance of organisations which impact their local community rather than the governance of national bodies.

Employment rights are a reserved matter and this consultation therefore seeks the views from stakeholders across England and Wales. We will work constructively with the devolved administrations in relation to their devolved responsibilities in this area,

including working with the Scottish Ministers when consultation is published later this year in relation to Scottish bodies.

There are a number of potential benefits which can be realised by employers as a result of their staff taking part in civic roles:

- Employees can build competencies and develop skills which can be used in their jobs and could in some cases be part of ongoing personal development and training;
- Support from employers can be categorised as contribution to Corporate Social Responsibilities which can in turn make a company more attractive to customers or clients as well as an appealing place to work for current or future employees; and
- There is some evidence that flexible working practices have improved the productivity of their businesses.

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