

PROTOCOL FOR COMMUNITY LEADERSHIP BY MEMBERS

1. Introduction

1.1 Members' work within their constituencies forms an integral part of their role as elected representatives and places them in the forefront of providing community leadership within their respective wards. This can be one of the most rewarding aspects of their membership of the Council but this is dependent upon a number of factors, not least the time that a Member is able to devote to his/her constituency work.

1.2 Members' attention is drawn to those aspects of the Council's constitution and the 'Signpost' handbook which apply to their work within the community and particularly –

The Members Code of Conduct
The Member/Employee Protocol
Members Planning Code of Good Practice
The Code of Recommended Practice on Local Authority Publicity

1.3 This protocol is designed to draw together the relevant information contained in those codes and protocols, together with other advice and guidance provided to Members.

2. Background

2.1 The Government's modernising agenda for local government envisages an increasingly important role for the Council and its Members in terms of community leadership and governance. The Council is charged with promoting the economic, social and environmental well-being of Huntingdonshire and with developing a community strategy with partner organisations through the Huntingdonshire Local Strategic Partnership.

2.2 Community leadership is about operating in this new environment. It is about working in partnership with the wider community and creating alliances to make things happen.

2.3 At a local level, Members may

- consult with and represent the views of their constituents;
- pursue and resolve issues brought to their attention by their constituents;
- actively promote issues on behalf of their local communities both within the District Council and with other agencies;
- explain the impact and implications of Council decisions in their wards;
- sit on other bodies or groups within their wards, either as a representative of the Council or in a personal capacity.

When they do so, they should have regard to the advice in this protocol.

3. Characteristics of Effective Community Leadership

Characteristic	Definition
Listening to and involving local communities	To be an effective leader, you must be in touch with your community, e.g. geographical communities (such as parishes and neighbourhoods) and communities of interest (such as young people, the elderly and ethnic minority communities)
Building vision and direction	Local communities face a complex and diverse set of problems and challenges. They want to know that all of the relevant organisations in their area – public, private and voluntary – are working together in a common direction. Councillors have to work with all local organisations and interests in shaping a long term vision for the areas that they serve.
Working effectively in partnership	No person acting alone can respond effectively to the needs of localities. Effective community leadership involves securing the commitment of partners to deliver a shared vision for their area as well as helping to shape it.
Making things happen	Community leadership involves more than having a sense of direction. It is also making things happen on the ground – about delivering outcomes for local people. Vision, direction and effective partnership are only of value if they deliver actual change on the ground
Standing up for communities	Local people want to know that the people that they elected to represent them are doing so. This advocacy role can involve speaking out for local people on major issues that impact on the community and acting on behalf of specific groups of individuals.
Empowering local communities	Community leadership is not about exerting power as the elected representative of the community. It is more about creating the environment in which other leadership roles can develop and fostering the development of active citizenship. A councillor has to both be able to lead in the community and know when to step back to enable others to develop and grow in confidence.
Accountability to Communities	Community leadership involves being accountable to local people, both through the ballot box and through the development of active on-going relationships with local people.

Using community resources Communities, councils and partners have a wide range of resources they can make available. Community leadership is about ensuring that those resources are used effectively to meet local priorities and needs. Community leadership is also about delivering the best outcomes for local people and actively seeking new ways to promote the well-being of an area.

4. Understanding Your Ward

- 4.1 Information about your ward is key to understanding the needs of your constituents and any business or commercial interests with premises locally. The Council holds census data at both ward and parish level from the 10 year census undertaken by the Office for National Statistics. Also available from the ONS is the index of multiple deprivation which summarises information at ward level based upon socio-economic indices. As well as being available from the Policy Division, the information can be obtained from the ONS website on www.statistics.gov.uk <http://www.statistics.gov.uk>.
- 4.2 As a Member, you may wish to carry out your own assessment of local needs and issues and there are various ways in which this can be undertaken. Perhaps the most extensive method is to arrange or assist in the preparation of a Parish Plan. Although these are essentially parish based, they do not have to be undertaken by a parish council and grant is available from The Countryside Agency towards the cost. Plans involve the commissioning of a questionnaire distributed to and collected from all households and an analysis of the results to provide information on local needs and aspirations. The results offer a useful source of information to the District Council towards compiling the Community Strategy and Local Plans for the District as a whole.
- 4.3 Parish councils can be a useful source of information about topical subjects and issues of concern. As a district councillor you are not obliged to attend parish council meetings and it may be difficult for you to attend if your ward contains a number of parishes. You also cannot speak at parish council meetings unless invited to do so by that council. Nevertheless you may feel that your attendance provides a useful way of hearing about issues of local concern and passing on information from the District Council if this is requested by the parish.
- 4.4 If you also are an elected councillor for a parish in the ward that you represent at District level, you should remember to be careful not to fetter your discretion when a subject is to be discussed by both authorities. Advice is contained in the Members Code of Practice about the need to declare a personal and potentially a prejudicial interest in such circumstances. There is also reference in the Members Planning Code of Good Practice as to how to deal with applications for planning permission when they appear before the District Council and a parish council when you are a member of both.

You should also remember that you have been elected to represent the interests of the District as a whole and not as a spokesperson for a view expressed by your local parish council or another local organisation.

- 4.5 As part of your duties as a councillor, you may also be appointed by the Council to one or more external bodies. The range of organisations is broad – some are statutory bodies with substantial annual expenditure, whilst others may be advisory with no budget. Whilst it is difficult to generalise about your role as a member of external organisations, there are some basic principles that you should apply when acting in that capacity. When you become a member of a board or management committee or similar of an external organisation, you become accountable to that body rather than the Council and liable either jointly or personally for its decisions, dependent upon the structure of the organisation. If an organisation has its own codes of conduct, you should follow these but you should always apply the values and principles that apply to you in your position as a councillor. If codes of conduct have not been adopted by an organisation, you should apply the principles contained in the Council's Members Code of Conduct.
- 4.6 You may feel that a public meeting would be a useful method of gauging public opinion. Advice on attending and convening public meetings is contained in Signpost – a guide to support services for members.

5. Your Constituents

- 5.1 In national surveys, members have said they regard constituency work as one of the most rewarding and enjoyable parts of their role as an elected councillor. However you should always try to establish a distinction between your private life and your work as a councillor – otherwise your constituents will expect you to be available 24 hours per day and 7 days per week. One method of doing is to make it known within your ward when and where you can be contacted to speak to constituents. You may decide to hold surgeries at regular intervals so that your constituents are aware when you are available. You may also think that it would be useful to do so with other members if you represent a multi-member ward or jointly with the local county councillor or parish councillors if they hold surgeries.
- 5.2 Do exercise care when speaking to your constituents. Often they will ask you for advice, not only about District Council services but about the actions of other organisations that have affect them, their families or homes. Although the District Council does have a duty to promote the economic, social and environmental well-being of the District which places a community leadership responsibility upon members, this does not mean that you are obliged to always make enquiries or pursue matters on behalf of your constituents, especially if this involves the actions of another body. You should especially avoid offering an opinion or advice on matters whether before or after you have spoken to a relevant officer. You are not insured to offer advice and you may be liable to damages by a disaffected constituent if he has acted upon or spent money based upon advice that you have given which subsequently is shown not to be correct. When you have received advice that you passing on to a constituent, you should preface your

remarks by stating that you are relaying information that has provided to you by an officer.

- 5.3 Often you may find when talking to colleagues that the issues that your constituents have raised with you are not unique to your ward. There are a number of avenues open to you to pursue those issues further. Officers of the Council have a responsibility to give impartial advice to all councillors and often can provide information or resolve issues that are brought to their attention. However you can also ask for matters to be raised at meetings of the Council. Overview and Scrutiny Panels provide an appropriate mechanism for subjects to be discussed which can result in recommendations for change. You don't have to be a member of a Panel to ask for an item to be placed on an agenda and with the Chairman's prior consent you can address the Panel about the issue that you wish to raise. If they decide to pursue a matter further, a Panel may co-opt you on to the working group established to investigate and report back.
- 5.4 You can also draw your community's attention to the opportunity to present petitions to meetings of the full Council where these have been signed by 50 people. Petitions can also be submitted to meetings of the Huntingdonshire Environment and Transport Area Joint Committee where these relate to local transportation concerns.
- 5.5 Although violence by a constituent against a councillor is extremely rare, this can occur and you should take precautions if you hold surgeries or visit constituents in their own homes. Advice on safety can be obtained from the Democratic Services Section of the Council and is included in the induction training provided to all members when they are first elected.

6. Access to Information

- 6.1 As a councillor, you have access to a huge amount of information about the Council and its activities. Much of this is available to you on the Council's intranet which can be accessed either by the PC in the Members Rooms in Pathfinder House or in your own home if you have been supplied with a dedicated PC and telephone line. You will also receive copies of agenda and reports for meetings of Panels etc. of which you are a member and the agenda for other meetings. You can ask for the supporting reports for the latter meetings to be sent to you on a regular basis if you wish. You also have access to background papers, executive decision records, minutes, decision digests, press releases and relevant extracts from local newspapers. Your rights are explained in the Access to Information Procedure Rules in the Council's constitution but you are not entitled to access to exempt or confidential information, unless you are a member of an overview and scrutiny panel that is investigating a particular matter. In particular you do not have a 'roving commission' to call for all documents in the Council's possession, unless you can demonstrate a 'need to know', or to inspect land or property that is in the Council's ownership. You should also remember that some information is confidential and should not be divulged to the public until it becomes public in the normal course of the Council's business.
- 6.2 The equipment that is provided to you by the Council to assist you in your work as a councillor should be used only for Council or domestic

use. It should not be used for other business purposes, although it can be used for county or parish council work where a member is elected to other local authorities. If you use a computer in connection with your constituency work, whether this has been provided by the Council or is your own personal equipment, you need to be registered with the Information Commission under the Data Protection Act as a data handler. Registration has to be updated annually but the Council will contact you to arrange this on your behalf if you wish them to. Explanatory information, together with an electronic mail protocol is supplied to members which you are required to sign before equipment is delivered.

7. Members Reimbursement

7.1 A Members Allowances Scheme has been adopted by the Council, having regard to the recommendations of an independent panel. This comprises a basic allowance for all members and special responsibility allowances for the holders of various named positions of responsibility within the Council. Travelling and subsistence and care allowances can also be claimed but these must relate to the performance of specific duties that are listed in the Scheme. As a general rule, the duty being undertaken by a member must have been authorised in advance by the Council or under the Scheme and members must not claim for other journeys or subsistence that they may have incurred, for example in carrying out investigations on behalf of their constituents. Payments are made on a monthly basis by the Council by BACS transfer to a member's personal bank account.

7.2 Care should always be exercised to avoid claiming for attendance or travel to a specific meeting from more than one source if a councillor is a member of more than one local authority or other public body. Such action is illegal and the penalties imposed by the courts can be severe.

7.3 You should also remember that, unless authorised to do so, you should not commit the Council to any expenditure or incur any costs for which the Council may be liable.

8. Publicity

8.1 The Code of Recommended Practice on Local Authority Publicity issued by the former Department of the Environment points out that it would be inappropriate for public resources to be used to publicise individual councillors. However in the interests of public accountability it may be appropriate to publicise the views or activities of individual members when they are representing the views of the Council as a whole, for example when the Chairman of the Council is carrying out an official duty as first citizen of the community or an executive councillor launches a policy approved by the Cabinet.

8.2 For the same reason, the Council may justifiably in certain circumstances issue press releases reporting statements made by individual members. Examples of cases where such press releases may be appropriate are as reports of discussions at meetings or quotations or comments are made by leading members of the Council in response to particular events which call for a speedy response from the Council.

- 8.3 It follows therefore that the Council should not publicise the work of members in their constituency role unless this is in the interests of the Council as a whole. This does not prevent members from speaking to the media but they should not use Council resources to promote a particular course of action that they might be pursuing.
- 8.4 Particular care is needed to ensure that where publicity is issued immediately prior to an election or by-election affecting the area to ensure that this could not be perceived as seeking to influence public opinion or promote the public image of a particular candidate. The Code states that between the time of publication of a notice of an election and polling day, publicity should not be issued which deals with controversial issues or which reports views or policies in a way that identifies them with individual members or groups of members.
- 8.5 Members may often be approached by the media for comments on matters affecting their wards. It is important not to underestimate the interest that there may be in a local issue. If you need assistance when approached for a response, this can be obtained from the Council's Communications and Information Officer.