

FLINTSHIRE COUNTY COUNCIL

Date of Meeting	Thursday, 22 July 2021
Report Subject	Protocol on acting outside the ward
Report Author	Chief Officer (Governance)

EXECUTIVE SUMMARY

The practice of a Member becoming involved in local ward issues of other councillors led to a Notice of Motion being submitted to the County Council meeting of the 7th September 2010 and the Council referring it to the Constitution Committee.

Subsequently, a protocol was produced and approved by the committee. Following recent concerns by officers, it became necessary to re-visit the protocol. It was submitted to Group Leaders, who agreed in April that it should be redrafted to make it more 'user friendly' and included within the Constitution to give it more prominence.

Particular concerns in redrafting were the need to observe geographical representation, voter/councillor representation issues and the accountability of councillors to their electors. The revised protocol was endorsed by Group Leaders and it was agreed that it would be submitted to the Constitution & Democratic Services Committee and subsequently to Council for formal adoption.

The 2021 Protocol was considered and approved by the Constitution & Democratic Services Committee at its meeting on 30th June 2021.

RECOMMENDATIONS

1	That Council considers and adopts the 2021 revised Member Protocol on Involvement in Other Wards.
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REPORT DETAILS

1.00	EXPLAINING THE CHANGES TO THE PROTOCOL
1.01	The practice of a Member becoming involved in local ward issues of other councillors led to a Notice of Motion being submitted to the County Council meeting of the 7 th September 2010 and the Council referring it to the Constitution Committee. Subsequently, a protocol was produced and approved by that committee.
1.02	The existing protocol was thought by both the statutory officers and Group Leaders to be in need of revision. An amended version agreed for formal consultation. It is attached as appendix 1 and was considered and approved by the Constitution & Democratic Services Committee at its meeting on 30 th June 2021.
1.03	<p>In terms of redrafting this protocol, particular concerns were:</p> <ul style="list-style-type: none">• Geographical representation: Members are elected to represent a particular ward. Their remit is to represent the people in that ward. Members represent the whole of Flintshire when acting together as the County Council, not as individuals.• Voter/councillor representation: again, Members are elected to represent a particular ward. Their remit is to represent the people in that ward. If they act outside their ward, without having consulted the local Member, they place themselves in a position where they are acting on behalf of a person or persons within that ward.• The accountability of councillors to their electors: if electors are dissatisfied with the performance of their local Member(s) they have recourse through the ballot box at the next election. That option is not available to electors when the Member who has acted on their behalf has not been elected to represent that ward.
1.04	In order to give the protocol greater prominence it was agreed that it should be included within the Constitution.

2.00	RESOURCE IMPLICATIONS
2.01	None

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	The revised protocol was considered and approved by the Constitution & Democratic Services Committee at its meeting on 30 th June 2021.

4.00	RISK MANAGEMENT
4.01	Not observing the protocol creates potential risk.

5.00	APPENDICES
5.01	Appendix 1: Protocol on acting outside the ward.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>1. Notice of Motion considered by Council, 7th September 2010. http://modgov:9070/Data/Flintshire%20County%20Council/20100907/Agenda/Part%201.pdf?And subsequent minute</p> <p>http://modgov:9070/Data/Flintshire%20County%20Council/20100907/Agenda/Minutes.pdf?</p> <p>2. Report of the Head of Legal & Democratic Services to the Constitution Committee, 10th January 2011 Local Member Guidelines http://modgov:9070/Data/Constitution%20Committee/20110110/Agenda/Part%201.pdf?</p> <p>And subsequent minute.</p> <p>http://modgov:9070/CeConvert2PDF.aspx?MID=1533&F=Minutes.pdf&A=1&R=0</p> <p>3. Report of the Head of Legal & Democratic Services to the Constitution Committee, 20th April 2011 Local Member Guidelines http://modgov:9070/CeConvert2PDF.aspx?MID=1534&F=Part%201.pdf&A=1&R=0</p> <p>and subsequent minute. http://modgov:9070/CeConvert2PDF.aspx?MID=1534&F=Minutes.pdf&A=1&R=0</p> <p>Contact Officer: Robert Robins, Head of Democratic Services Telephone: 01352 702320 E-mail: robert.robins@flintshire.gov</p>

7.00	GLOSSARY OF TERMS
7.01	No technical terms have been used within this report