

## CONSTITUTION & DEMOCRATIC SERVICES COMMITTEE

<b>Date of Meeting</b>	Wednesday, 30 <sup>th</sup> June 2021
<b>Report Subject</b>	Member Protocol on Involvement in other Wards.
<b>Report Author</b>	Head of Democratic Services

### EXECUTIVE SUMMARY

The practice of a Member becoming involved in local ward issues when not the local Member led to a Notice of Motion being submitted to the County Council meeting of the 7<sup>th</sup> 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 and made more 'user friendly'.

Particular concerns in redrafting were the needs to observe geographical representation, voter/councillor representation issues and the consequences of dissatisfaction with actions taken with lack of recourse.

It was agreed that it would be submitted to this Committee, to Standards Committee and subsequently to Council for formal adoption.

### RECOMMENDATIONS

1	That the Committee considers and recommends for adoption the 2021 revised <i>Member Protocol on Involvement in Other Wards</i> .
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### REPORT DETAILS

<b>1.00</b>	<b>EXPLAINING THE CHANGES TO THE PROTOCOL</b>
1.01	The practice of a Member becoming involved in local ward issues when not the local Member led to a Notice of Motion being submitted to the County Council meeting of the 7 <sup>th</sup> September 2010 and the Council referring it to the Constitution Committee. Subsequently, a protocol was produced and approved by the committee.

1.02	The existing protocol was thought by both the statutory officers and Group Leaders to be in need of revision. It is attached as Appendix 1. It should be noted that the reports to Standards Committee, referred to, were not made.
	Following consideration by Group leaders and statutory officers, an amended version agreed for formal consultation. It is attached as appendix 2. The previous version was couched in very legalistic terms. It is intended that the updated version is easier to read, understand and use.
1.03	<p>In terms of redrafting this protocol, particular concerns were:</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• 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</li> </ul>
1.04	Formal consultation on this protocol is by submission to this committee, to Standards Committee on 5 <sup>th</sup> July and subsequently to Council.

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
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2.01	None directly from this consultation report.
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<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
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3.01	This report is to initiate consultation
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<b>4.00</b>	<b>RISK MANAGEMENT</b>
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4.01	Not observing the protocol creates potential risk.
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<b>5.00</b>	<b>APPENDICES</b>
5.01	Appendix 1, original protocol from 2011. Appendix 2, revised Member Protocol on Involvement in other wards.

<b>6.0</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<p>1. Notice of Motion considered by Council, 7<sup>th</sup> September 2010.  <a href="http://modgov:9070/Data/Flintshire%20County%20Council/20100907/Agenda/Part%201.pdf">http://modgov:9070/Data/Flintshire%20County%20Council/20100907/Agenda/Part%201.pdf</a>?And subsequent minute  <a href="http://modgov:9070/Data/Flintshire%20County%20Council/20100907/Agenda/Minutes.pdf">http://modgov:9070/Data/Flintshire%20County%20Council/20100907/Agenda/Minutes.pdf</a>?</p> <p>2. Report of the Head of Legal &amp; Democratic Services to the Constitution Committee, 10<sup>th</sup> January 2011 <i>Local Member Guidelines</i>  <a href="http://modgov:9070/Data/Constitution%20Committee/20110110/Agenda/Part%201.pdf">http://modgov:9070/Data/Constitution%20Committee/20110110/Agenda/Part%201.pdf</a>  And subsequent minute.  <a href="http://modgov:9070/CeConvert2PDF.aspx?MID=1533&amp;F=Minutes.pdf&amp;A=1&amp;R=0">http://modgov:9070/CeConvert2PDF.aspx?MID=1533&amp;F=Minutes.pdf&amp;A=1&amp;R=0</a></p> <p>3. Report of the Head of Legal &amp; Democratic Services to the Constitution Committee, 20<sup>th</sup> April 2011 <i>Local Member Guidelines</i>  <a href="http://modgov:9070/CeConvert2PDF.aspx?MID=1534&amp;F=Part%201.pdf&amp;A=1&amp;R=0">http://modgov:9070/CeConvert2PDF.aspx?MID=1534&amp;F=Part%201.pdf&amp;A=1&amp;R=0</a>  and subsequent minute.  <a href="http://modgov:9070/CeConvert2PDF.aspx?MID=1534&amp;F=Minutes.pdf&amp;A=1&amp;R=0">http://modgov:9070/CeConvert2PDF.aspx?MID=1534&amp;F=Minutes.pdf&amp;A=1&amp;R=0</a></p> <p><b>Contact Officer:</b> Robert Robins, Head of Democratic Services  <b>Telephone:</b> 01352 702320  <b>E-mail:</b> <a href="mailto:robert.robins@flintshire.gov">robert.robins@flintshire.gov</a>.</p>

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	No technical terms have been used within this report.