

# Councillor Representative Protocol

Author L Harrison, Wimborne Minster Town Clerk, 26 September 2022,

Approved and adopted by the Finance and Governances Committee 18 July 2023, minute reference FG/2023/026.

## Introduction

Wimborne Minster Town Council (the Council) is committed to achieving genuine benefits and outcomes for the community. Council's representation on other bodies takes place for a variety of reasons in line with this intention including to help foster positive relations, to help valued community organisations, to promote the social, environmental, and economic well-being of Wimborne Minster and to safeguard its interests in specific assets and services.

Councillors and staff have an important role in championing and representing the Council as part of their roles; representing the Council on other bodies is one significant responsibility which, depending on the role, can carry specific duties and responsibilities.

This Protocol provides guidance for Councillors representing the Council on another body or organisation.

## The Role of the Council Representative and the Council

A councillor appointed by the Council to be its representative on an outside body represents the Council as a whole, rather than acting in personal capacity and the Council reserves the right to vary the term and conditions of the appointment and to change the person representing the Council at any time. Bodies will have their own constitution, rules and procedures and might impose certain conditions and terms.

Although being appointed as the Council's representative initially, under the body's own constitution, that representative might become a trustee or otherwise become a representative in their own right. This might mean, for example, being bound by trustee rules and responsibilities and, potentially their primary allegiance, continuing in this role even if they cease being a councillor or employee.

All representatives of the Council must always act in accordance with Council policies and procedures and the Council's Code of Conduct. Staff should conduct themselves as if they were bound by the Code of Conduct.

No member of Council shall misrepresent or do something "in the name of Council" which they have not been authorised to do so by Council .

All representatives should:

- understand the terms of their appointment and the scope of activities they are entitled to undertake,
- familiarise themselves with the constitution, rules, and procedures of the outside body,
- individual councillors do not and cannot have delegated authority to make decisions on behalf of the Council,
- be aware of the parameters within which the Council acts (e.g. subject to restrictions on expenditure a Council representative cannot commit Council resources or support, whether financial or 'in kind', to an outside body - if anything of this nature is requested it should be brought back to the Council, through the Town Clerk, for consideration),
- help the outside body to gain an understanding of the Council's procedures, policies and relevant decisions,
- help the outside body and Council to work together and communicate effectively for the benefit of Wimborne Minster,
- provide the Council with timely and written reports to be noted at its Full Council/Committee meetings (as appropriate) containing information about meetings or associated developments, describe in reports how their attendance made a difference in terms of providing or influencing genuine benefits and outcomes for the community,

- provide agendas, minutes and any updates received to the Town Clerk so that they can be made available by email to all councillors, an effective and efficient way of keeping the Council updated and enables other members to pose any questions to the representative that they might have (minutes of the outside body's meeting will only be shared where they are not confidential),
- alert the Town Clerk to any matters that needs to be considered by Full Council or a committee and will prepare any report necessary for this purpose.
- submit an end of year report to be used for Council's Annual Meeting and the Annual Parish Assembly.

Administrative support by Council staff is not available to outside bodies nor to Council representatives on outside bodies. Council representatives are responsible for carrying out the administration to support their own role. An exception to the above might be at liaison or management committee meetings where Council Officers may be present, as it has been deemed in the Council's best interest to have an Officer directly involved or representing the Council.

### Attendance

Representatives should attend as many meetings of an outside body as they are able and should send apologies if they are not able to attend, copied to the Town Clerk.

Representatives should try to ensure that there are arrangements on the outside body for a substitute. In the event that a substitute is needed, the representative should make arrangements with the substitute direct and should ensure that the outside body and Town Clerk are aware.

Should a representative fail to attend meetings of an outside body for three meetings (or six consecutive months where meetings are less frequent than monthly) they will be automatically removed from the position and a replacement representative appointed at the next available Full Council meeting following discussions by the Finance and Governance Committee and Council's Standing Orders (6-month rule).

### Appointment

Council representatives will be appointed at each Annual Meeting of the Council and the Council reserves the right to vary its representatives or their terms at other times as the need arises.

### Change of Representation by the Outside Body

An outside body is free to reject a specific Council representative where this is provided for under their own constitution. Where the Council is prepared to do so, a replacement will be sought by the Council, not by the outside body. The Council considers repeated non-attendance at meetings without good reason to be a valid ground to reject a specific Council representative. An outside body is free to inform the Council at any time that Council representatives are no longer required if its constitution so allows.

A representative wishing to stand down from their role should inform the outside body itself and the Town Clerk, in writing. Where relevant, a report will then be taken to the next available Full Council meeting to appoint a replacement. Where possible, the Town Clerk will invite other councillors to substitute on this body until a representative can be formally appointed by the Council.

[end]