

## Councillors' handbook 2019

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[Click here to access councillor's information on the intranet](#)

# Welcome to Luton Council from the Chief Executive

Congratulations on being elected as councillor for Luton Council. Serving as a democratically elected councillor is an honour and carries with it significant responsibility.

As well as representing the citizens of your ward, and Luton generally, you're responsible (with others) for running a large and complex public organisation with over 3,000 (non-school) staff and a budget of £133m+ (with a gross annual turnover of approximately £574m)

My officers and I are here to serve the council. We ensure policies you decide are implemented and it is our job to provide professional advice, help and support in an environment of mutual respect, with officers required to act without fear, favour or agenda.

This induction handbook provides further information about officers who can provide assistance to elected councillors. Of course I am always pleased to speak with any councillor, whether it be a query, complaint, suggestion or personal clarification.

In the handbook you'll find what I hope is useful information to guide you throughout your term of office. This supplements the [Council's Constitution](#), the principal document setting out:

- how we operate
- how decisions are made
- the procedures followed to ensure that these are efficient, transparent and accountable to local people

If you could turn immediately to the information pack, you'll find key documents which need to be completed to begin, or continue, your journey.

May I wish you well in your term of office.



Robin Porter  
Chief Executive

## 1. Introduction

Congratulations on being elected as a councillor for Luton.

This councillors' handbook has been produced to give you information that will help you in the first weeks after being appointed as a councillor and gives guidance on forms that must be completed within your first few days.

Further information can be found in the [councillor's section on the intranet](#).

You'll also be able to access:

- the councillor contact directory containing details about facilities within the town hall
- parking arrangements for councillors
- obtaining I.D. security passes
- other useful information

## 2. Forms for completion

There are several forms to be completed that need your immediate attention. In most cases they must be completed and returned by **13 May 2019** and returned to the Business and Member Support team (BMS). These will have been given to you at the same time as this handbook. Copies can also be found under the [councillors' section on the intranet](#).

The forms for completion will have been given to you at the election count. Copies can be found under the [councillors' area of the intranet](#).

Form	Deadline	Date passed to BMS
Data Protection Act	13 May 2019	
Personal details form	13 May 2019	
Bank details form	13 May 2019	
Councillor good practice agreement form	13 May 2019	
Register of interests form	28 May 2019	

### Declaration of acceptance of office

#### To include written undertaking to comply with the code of conduct for members

The declaration of acceptance of office is a **legal requirement**, which includes a written undertaking to comply with the code of conduct for members. **You cannot act as a councillor in any capacity until you have given a written undertaking to comply with the code of conduct for members.**

Information on the code can be found in [section 11 of this handbook](#).

The declaration of acceptance of office must be signed in front of the Proper Officer. If you did not sign this immediately after the declaration of the result, it needs to be signed now.

**Please telephone the chief executive's PA, Sara Farr, on 01582 546025 to arrange a meeting.**

### **Personal details form**

The personal details form (included with the information pack) needs to be completed and returned to the BMS team by **Monday 13 May 2019** so that we can:

- publish your contact details (subject to your agreement under the Data Protection Act – see below)
- issue you with a parking permit and car park key
- arrange for an ID badge and pass to be issued so that you can access the Town Hall and other council office
- arrange for you to have access to the council's computer system from the Town Hall and/or remotely

It is helpful to be provided with business and mobile telephone numbers which can be used by other councillors and officers only, unless you say otherwise. If you provide a business or mobile number and can only be contacted at work during certain times, please indicate this on the form.

### **Data Protection Act**

It is helpful to publish your name, address and home telephone number in various places, so that your constituents and officers can reach you. To enable us to do this we need your permission to do so under the Data Protection Act.

Please could you sign and return the **Data Protection Act form** (included with the information pack) to the BMS team **within seven working days** of the election (**Monday 13 May 2019**).

Please ensure you indicate on the form any media you do not wish your details to be published.

More information on the Data Protection Act and other relevant legislation appears in [section 6 of this handbook](#).

Set out below is a copy of the council's privacy statement that shows what we will do with the Information we collect about you.

### **Privacy notice elected members**

Luton Borough Council is committed to protecting your privacy when you use our services.

We have a Data Protection Officer who makes sure we respect your rights and follow the law. If you have any concerns or questions about how we look after your personal information, please contact the Data Protection Officer at [feedback@luton.gov.uk](mailto:feedback@luton.gov.uk).

Data Controller	Luton Borough Council, Town Hall, George Street, Luton, LU1 2BQ
Data Protection Officer	Yvonne Salvin <a href="mailto:feedback@luton.gov.uk">feedback@luton.gov.uk</a>
Personal data	Name, address, personal email, home telephone, mobile number, date of birth, official photograph, emergency contacts, bank account, national insurance number
Purpose for using it	To publish information about elected members such as the members allowances and expenses, elections history, party history, members interests and committees. This list is not exhaustive. To pay allowances/expenses. We will publish information about members on the internet, council's intranet, in publications, leaflets and/or poster published by the council, in reports, agendas and minutes, on public notice boards, in LBC news, in press releases and media briefings and orally at reception points and over the telephone. We will process your bank account and national insurance number in order to pay allowances and expenses.
Lawful basis	Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller; or processing is necessary for the compliance with a legal obligation to which the controller is subject.
Who we share it with	We may share your name and address and contact information with 3 <sup>rd</sup> party training providers. We will never share your national insurance number, emergency contact details or bank account details.
Why we share it with them	To comply with statutory reporting requirements To prevent or detect crime To provide training opportunities
Any automated decision making	None
Transfer of data to a non-EU country	None
Exercising your rights	You have the right to ask us to amend or delete your data as well transfer or limit its use. You also have the right to request a review of an automated decision where you think this is wrong. Each request will be considered individually however, where we are required to keep your data by law we may be unable to action your request. In all circumstances we will explain our decision making in writing to you

If you want more information about how we keep your data safe please see our main privacy statement at [www.luton.gov.uk/privacy](http://www.luton.gov.uk/privacy).

## Members' allowances

To enable your allowance to be paid to you, we need your bank details and a P46 tax form or a P45.

In order to pay the members' allowance to you the **bank details form** (included with the information pack) needs to be completed and returned to the BMS team **within seven working days** of the election (**Monday 13 May 2019**).

If you need a P46 tax form, one can be obtained from the BMS team. Please [see section 10 for further details](#).

## Councillor good practice guide

A 'councillor good practice guide' has been created which aims to provide you with:

- clear guidance on what is expected from you in your role as a councillor, including attending meetings and participating in support and development opportunities
- a clear framework to access the councillor support and development programme and conference and e and seminars
- guidance on the use of technology and the protocols governing use
- guidance and advice to produce an annual report

Whilst the signing of the guide is voluntary, it has the support of political groups and you're encouraged to sign it and observe its requirements. The guide was included in your information pack and can be [found on the intranet](#).

Please sign the agreement form provided in the information pack and return to the BMS team by Monday 13 May 2019.

## Register of members' interests

As well as disclosing interests at meetings, you're also required under the code of conduct for members to complete a register of members' interests form.

**The code of conduct for members** can be found in [section 11 of this handbook](#).

The register of interest form can be obtained from the head of Human Resources and Monitoring Officer, **Angela Claridge**. The form must be completed and returned to **Angela Claridge** no later than **Tuesday 28 May 2019**.

Any changes made to the form after that time must be notified to Angela Claridge within 28 days of the change being made. **This time period is a legal requirement.**

If you have any questions or difficulties in completing the register of interests form, please do not hesitate to contact Angela Claridge on (54) 6291.

## Gifts and hospitality

Any offer of gifts or hospitality over £75 you receive as a councillor must be declared and entered onto the gifts and hospitality register **within 28 days of receipt**, in writing. This register is held by **Ann Loeffler**.

A form can be [found on the intranet](#). Please complete and return the form to Ann Loeffler, as necessary. Extra forms can be obtained from Ann Loeffler on (54) 6033.

## 3. Important dates for your diary

Event	Date	Venue
ID Session	7 May 2019, 4 to 7pm	Silver Room, Town Hall
CSDP (Directors of Boards)	9 May 2019, 6pm	Council Chamber, Town Hall, Council Chamber
Issue of Councillors IT equipment	9 May 2019 9am to 6.30pm 10 May 2019 9am to 5pm 13 May 2019 9am to 5pm 14 May 2019 9am to 5.30pm	Apex House
Councillors Induction Event	14th May 2015, 6 pm to 8 pm	Council Chamber and Committee 4, Town Hall
Annual Council	21 May 2019, 6pm	Council Chamber, Town Hall
CSDP(Development Control)	29 May 2019, 6pm	Committee Room 3, Town Hall
CSDP (Audit & Governance)	11 June 2019, 5 to 6pm	Committee Room 3, Town Hall
Mayoral Investiture	12 June 2019, 6pm	Council Chamber and Committee Rooms 1 and 2, Town Hall
CSDP (Standards/ Code of Conduct)	13 June 2019, 5pm	Committee Room 3, Town Hall
CSDP (Scrutiny)	17 June 2019, 10am to 5pm	Committee Room 3, Town Hall
CSDP (Fair Selection Executive Cllrs)	24 June 2019, 5pm	Committee Room 3, Town Hall
CSDP (Citrix)	26 June 2019, 4pm and 6pm	Council Chamber, Town Hall
CSDP (Fair Selection -All Cllrs)	1 July 2019, 6pm	Council Chamber, Town Hall
CSDP (Finance Overview)	15 July 2019, 6pm	Committee Rooms 1 and 2, Town Hall
CSDP (Scrutiny Finance)	24 July 2019, 6pm	Council Chamber, Town Hall
CSDP (GDPR)	30 September 2019, 2.30pm and 6pm	Committee Room 3, Town Hall
CSDP (Unconscious Bias)	6 November 2019, 6pm	Committee Rooms 1 and 2, Town Hall

CSDP (Keeping Luton Moving)	13 November 2019, 6pm	Committee Rooms 1 and 2, Town Hall
CSDP (personnel appeals)	Date tbc	To be confirmed
CSDP (licensing)	Dates tbc	To be confirmed
CSDP (media skills)	Date tbc	To be confirmed
CSDP (safeguarding adults and children)	Date tbc	To be confirmed
CSDP (risk assessment)	Date tbc	To be confirmed
CSDP (board of directors – detailed)	Date tbc	To be confirmed

**Please note:** a full list of dates for full council and committees are provided with the annual council papers.

## 4. Procedural and administration information

### Circulating information to councillors

- Information is circulated to councillors electronically through email, via links to the information where possible and we are currently looking at a Committee Management Information System (CMIS) application that will enable easier access to council agendas.
- Reports and minutes of meetings can be found on the internet and intranet on the CMIS.
- Councillor briefing sheets are circulated by service directors.
- Officers circulate information on meetings about various topics.
- Hard copy magazines, circulars, reference and committee papers can be found in the group rooms.
- A [councillors area can be found on the intranet](#) which provides useful information for councillors that will help with their role. This can be found by going to the homepage of the intranet where councillors is shown in the 'straight to' section on the right hand side.

### Taking leave

Please advise the following of dates you are going on holiday or will be away from Luton for more than a few days:

- the leader of your political group and/or the group secretary
- the BMS team who can make arrangements for dealing with your post
- the Democracy team to submit apologies for committee meetings you will be unable to attend

### Identity cards and security system

The council issues identity badges to all councillors and staff to identify them and allow access to the council's buildings. Badges must be worn at all times. There are no 'spare' badges available but lost badges can be replaced at a cost of £5.

A photograph will need to be taken for your ID badge. A photography session has been arranged for **Tuesday 7 May 2019, 4 to 7 pm in the Silver Room, Town Hall**. Alternatively please supply



an electronic photograph for this purpose.

Councillor photographs appear in Councillor Line, which is a poster produced by the council's Communications team showing details of councillors' ward, personal and other information available to the public.

These photographs also appear on the council's website along with other relevant details.

### **Accommodation for councillors**

Each of the political groups represented on the council have their own group rooms, which are situated on the first floor of the Town Hall.

Each room has:

- telephone and computer facilities
- pigeonholes for councillors' non-urgent post
- general reading material including publications and journals
- stationery
- shredding and recycling facilities

The leaders of the two larger political groups currently represented on the council have separate rooms adjacent to the BMS team, first floor of the Town Hall.

Opposite the council chamber also on the first floor are councillors' retiring rooms with toilet facilities.

### **Car parking**

Parking is available to all councillors **when on council business and when attending meetings only**. Town Hall car parks should not be used for other non-council activities during the day (like shopping or parking for your own employment).

The parking permit and key are for **councillors use only** whilst undertaking their duties as a councillor and are not transferable. Parking space is at a premium so it is not possible for councillors' permits to be used by anyone other than the councillor to whom it has been issued.

A parking permit, key and explanatory letter regarding the car parks that can be used will be made to you upon completion and return of the relevant information sheet.

A small car park is available in Dunstable Place. The car park has a key-operated barrier system. If you're unable to park in this car park, you may use any of the following council car parks:

- Brunswick Street
- Burr Street
- Crawley Road
- Hitchin Road
- Power Court (smaller car park to the right)

- Vicarage Street
- Wenlock Street

You **must** display your car parking permit in all of the above council car parks otherwise you'll be subject to a penalty charge notice which cannot be rescinded.

Please do not double park in the middle of Dunstable Place car park. This causes huge inconvenience for anyone you may have blocked in. It may also be inconvenient for you to be called away from a meeting to move your car, particularly if you are participating in the meeting.

If you have any specific parking needs please contact the BMS team.

### **Confidentiality and disposal of papers**

- All instructions and work given to the BMS Team will be regarded as strictly confidential.
- Public papers for council meetings are printed on white paper.
- Private (confidential) papers are printed on yellow paper for meetings except Airport Board. which is printed on green paper.
- Private papers should be shredded once finished with.
- Shredding bins for the disposal of confidential waste and recycling bins for non-confidential documents can be found in the group rooms, BMS and the Democracy Team offices.

### **Photocopying**

Photocopiers and printers are available in the labour group room, the BMS team or Democracy team offices on the first floor of the Town Hall, which can be used in connection with your role as councillor.

The BMS team will be happy to show you how to operate the machine or provide copies for you. Most of the council printers operate on a 'follow you' system which enables papers sent to print to be obtained from a number of devices.

The council operates a paperless/paperlight scheme and are striving to reduce the number of hard documents produced. We hope to produce electronic only agendas later In the year.

### **Refreshments**

There is no provision for refreshments within the Town Hall apart from self service facilities located in each of the group rooms. Light refreshments may be provided at certain meetings and events and you will be advised of this as necessary.

### **Posting letters**

Post is collected from the group rooms. The last collection is 4pm or can be left in the BMS office. This facility is for council business purposes only and any private mail must include a stamp.

### **Stationery**

Council headed notepaper and envelopes can be supplied to all councillors. Supplies of general

office stationery such as files, notepads, pens and pencils are available in addition to a council diary.

### **Telephone calls**

Telephones are available for council-related work in each of the councillors' group rooms. The [council phone book can be found on the intranet](#). To make an external telephone call, press '9' first.

In most cases, council extension numbers can be called externally by adding '54' at the front (eg extension 6033 can be contacted externally on 01582 546033).

There's also a helpful contact list which is available under the councillors area on the website.

## **5. Technology**

This section tells you about the remote access technology available to you in your role as a councillor.

Whilst arrangements will be made to set you up as a user as soon as your personal details form has been received, initially you will only be able to access the council's network on computers in the group rooms. As a councillor you'll have access to computers in the group rooms, which are shared facilities with other councillors

As experience has shown that a lack of basic training can result in unnecessary calls to the IT help desk. A council laptop and smart phone will be issued to you only after you have been given basic instruction in its use or after you have demonstrated that you are competent in the use of IT equipment.

The use of IT is governed by the council's security protocols. You must observe and abide by these principles, as there are data protection issues in handling information about constituents.

The main issues for you to be aware of are:

- determining the sensitivity of computerised information
- protecting software and data
- erasing data which is no longer required
- protecting computer access by password
- accessing central computing resource rooms
- accessing the internet
- working at home
- backing up and disaster recovery

Please ensure you are aware of the council's IT security procedures and it is essential that you should read and familiarise yourself with these.

In addition, please note the following:

- IT equipment is issued to councillors primarily for use on council business, in order to assist them in carrying out their duties. The equipment must be signed for and secured on this basis. All personal data held about individuals must be kept secure and up to date
- private use of the equipment should be limited to a small proportion of the total usage and from time to time routine checks will be made to establish the amount of usage and the nature of both general and internet use
- inappropriate use may result in the equipment being withdrawn and your being in breach of the code of conduct for members - such misuses may include sharing or disclosing passwords, allowing use of council equipment by other people etc
- the equipment must be handed back by you in good, clean condition if you resign, retire or are not re-elected. In the event of any damage to a device please advise the BMS team as soon as possible - if you lose a council device this must be reported as soon as the loss is noticed (and within twelve hours) so a stop can be put on the device and account

**For any issues with IT equipment and mobile phones, contact the Civica help desk on 54 (6666) stating that you are a councillor and give your name. They'll be able to help you.**

## 6. Information Governance

As a councillor, you'll need to be aware of the following legislation which may have a direct impact on your role

### The Freedom of Information Act 2000

This gives people rights of access to the information held by councils and other public bodies.

The legislation aims to give people a better access to information understanding of how organisations make decisions, carry out their duties and spend public money. The act creates two principal obligations for councils:

1. all councils must adopt and maintain a publication scheme, setting out details of information they will routinely make available, how the information can be obtained and whether there is any charge for it
2. all councils must comply with requests for the information they hold unless an exemption from disclosure applies

Councils have up to 20 working days to respond to a request, with additional time if a public interest test is necessary. As a councillor, the decisions that you make and the actions that you take are all subject to public scrutiny.

Councillors' allowances along with any expenses claimed will be published on the council's website. Information may also be requested about specific issues including business-related documents and emails.

For further information about the Freedom of Information Act, please contact [feedback@luton.gov.uk](mailto:feedback@luton.gov.uk) or call Claire Evans, Complaints and Information Compliance Manager on

## The General Data Protection Regulations (GDPR) and the Data Protection Act (DPA) 2018

These were introduced in May 2018. This new legislation places even greater emphasis on the privacy rights of individuals.

Compliance with the DPA 2018 and GDPR is the responsibility of all members of staff, contractors, partners and elected councillors.

In certain circumstances **local councillors are considered to be data controllers in their own right** and in the event of a serious data breach can face significant fines or other enforcement action by the Information Commissioner's Office (ICO).

It's therefore essential that everyone understands the requirements of DPA and ensures that appropriate safeguards are in place to protect the personal data we hold.

<p><b>Personal data</b></p>	<p>Personal data means data which relate to a living individual who can be identified directly or indirectly from the data, particularly by reference to an identifier.</p> <p>Personal data can be factual (such as a name, address or date of birth) or it can be an opinion (such as a performance appraisal).</p>
<p><b>Special category data</b></p>	<p>Certain personal data, special category data, is given special protections under the Act because misuse could create more significant risks to a person's fundamental rights and freedoms.</p> <p>For example, by putting them at risk of unlawful discrimination.</p> <p>Special category data includes:</p> <ul style="list-style-type: none"> <li>• a person's racial or ethnic origin;</li> <li>• political opinions;</li> <li>• religious or similar beliefs;</li> <li>• trade union membership;</li> <li>• physical or mental health or condition or sexual life;</li> <li>• biometric or genetic data.</li> </ul>

Personal and special category data must be:

<p><b>Processed lawfully</b></p>	<p>All personal and special category data must be processed lawfully, fairly and in a transparent manner in relation to individuals.</p>
<p><b>Used for a specific purpose</b></p>	<p>The data must be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.</p>
<p><b>Be relevant to the purpose</b></p>	<p>The data must be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.</p>

<b>Be accurate</b>	Data should be accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay.
<b>Kept no longer than necessary</b>	Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;  Personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals.
<b>Kept securely</b>	Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

As an elected councillor, there are three ways in which you might have a responsibility to process personal data held by:

<b>The council</b>	As a member of the council or committee, councillors may have access to and process personal information in a similar way to employees of the council. In these circumstances the council determines the flow of personal information and provides protection for that data. The council will be registered with the information commissioner as the data controller of this information
<b>As a representative of a political party</b>	Individual political parties have dedicated teams providing advice and guidance on political campaigning activities including the use of particular systems and procedures for engaging with voters. Members should contact their own parties for advice in relation to such activity. However, it should be noted that data collected from the council or from individual constituents cannot be used for political campaigning without the explicit consent of the data subject.  If a councillor is independent of any political party but uses personal information for campaigning, then they will have to register themselves as data controller for this type of data and its processing.
<b>As a representative of residents in your ward</b>	If you as a councillor collect personal information about the people that you represent and save it on a PC/laptop or in a paper format, then you are a data controller. And you have to register with the information commissioner in your own name, and annually renew this registration.  Councillors will also need to ensure that they provide a privacy

	notice on their websites, or they get evidence of consent before they process or share personal.
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If you're asked to investigate a matter on behalf of a constituent, which includes access to personal data held by the council (for example a housing benefit case), you will need to show that you have permission from that constituent to do so.

If you have been emailed by a constituent asking you to look into their case, that may be sufficient to show that you have implied consent. However if you're asked over the telephone or at a ward surgery, it may be more difficult for you to demonstrate that you have permission and both you and the council may be at risk of challenge if a breach of the DPA is seen to have occurred.

The safest way to overcome this is to seek written permission from a constituent where you are investigating a case which involves access to council records containing personal data. A pro-forma letter is available from the BMS team. It can also be [downloaded from the intranet](#).

The following activities are **strictly prohibited** when processing personal and special category data:

- sharing passwords to access data
- writing down password
- sending data to unauthorised personal - always check that the recipients are authorised to view the information you are sending
- sending personal data in an insecure format
- losing or misplacing personal and sensitive data
- leaving personal data unprotected
- accessing information about a resident or member of staff where you do not have a legitimate reason for doing so
- accessing personal data about an individual for your own personal use
- disclosing personal data to a third person outside of the council without a lawful basis

For further information about the DPA check out the [Information Commissioner's website](#) or contact [feedback@luton.gov.uk](mailto:feedback@luton.gov.uk) or call Claire Evans, Complaints and Compliance Manager on 01582 548678.

## 7. Training

A councillor support and development programme is in place. This aims to provide you with technical skills and other information to enhance your potential as a councillor.

A list of the mandatory and recommended events for your first year as a councillor can be found in the pack handed out with this handbook.

### Identifying learning needs – councillor development plans

Each political group represented on the council has nominated a 'spokesperson' to attend meetings of the Member Development Strategic Steering Group (MDSSG), which achieved accreditation to the member development charter in January 2017.

Our commitment is to maintain the charter and seek re-accreditation to charter plus in 2020.

The group meets quarterly to discuss issues relating to learning and development opportunities for councillors and report back to groups through their spokesperson(s).

The outcome of this process then informs a series of led sessions for members on subjects that are identified as being most use to them.

A councillor development plan (CDP) form will need to be completed towards the end of 2019. The CDP form will be forwarded to you in due course.

### **Technical training**

Technical training is delivered on the functions of particular committees and is **compulsory** for members of those committees.

The training includes technical information and skills training, such as listening and questioning techniques using scenarios and role play to help you visualise your role in a real committee situation. This is essential if you are to have the technical skills necessary to make legally sound and robust decisions and you must participate in this training before you can sit on the committee/panel.

In an election year, a full series of briefings is arranged for all councillors, particularly those new to the council who may not have participated in a committee meeting before. In subsequent years, refresher briefings are held just prior to the relevant meetings.

[Dates for training sessions can be found on the intranet](#) under the councillors' area.

In addition, councillor attendance at briefings on members' code of conduct/standards is madatory.

### **Additional resources**

Information briefings are arranged annually on a variety of topics to enhance councillors' understanding in these areas under the heading Councillor Support and Development Programme (CSDP).

Open to all councillors, attendance is optional, but encouraged and designed to develop/enhance your knowledge and skills as a councillor.

E-learning@Luton – the council's online learning platform is available to councillors as well as employees. It hosts more than 60 modules and toolkits supporting a range of topics including:

- Information Governance
- soft skills
- ICT
- Induction



You'll be shown how to access this when you collect your council laptop device and there is a separate user guide available. Alternatively just visit [www.luton.elearningplatform.net](http://www.luton.elearningplatform.net) and log in with the following details:

**Username:** firstname.surname

**Password:** password1

The platform also has a dedicated councillors' area which continues to grow, including modules that may be of interest and links to further useful resources. A user guide can be found on the log in screen to help assist you with any queries when using the platform for the first time.

### **Conferences and seminars**

There is an opportunity for councillors to attend external conferences and seminars although there is a limited budget.

Group leaders determine which courses, conferences and seminars are appropriate for councillors to attend.

Requests are made via your group leader, who will advise BMS to book a councillor onto a conference.

Once booked, BMS will confirm the booking and forward a feedback form which will need completing at the end of the event. The feedback information will be used to assess relevance of the course and value for money.

**If you book a course, conference or seminar without obtaining the approval of your group leader the council will not pay any fee.**

For matters relating to councillor training contact the BMS team on (54) 6215 or email [peter.mccluskey@luton.gov.uk](mailto:peter.mccluskey@luton.gov.uk).

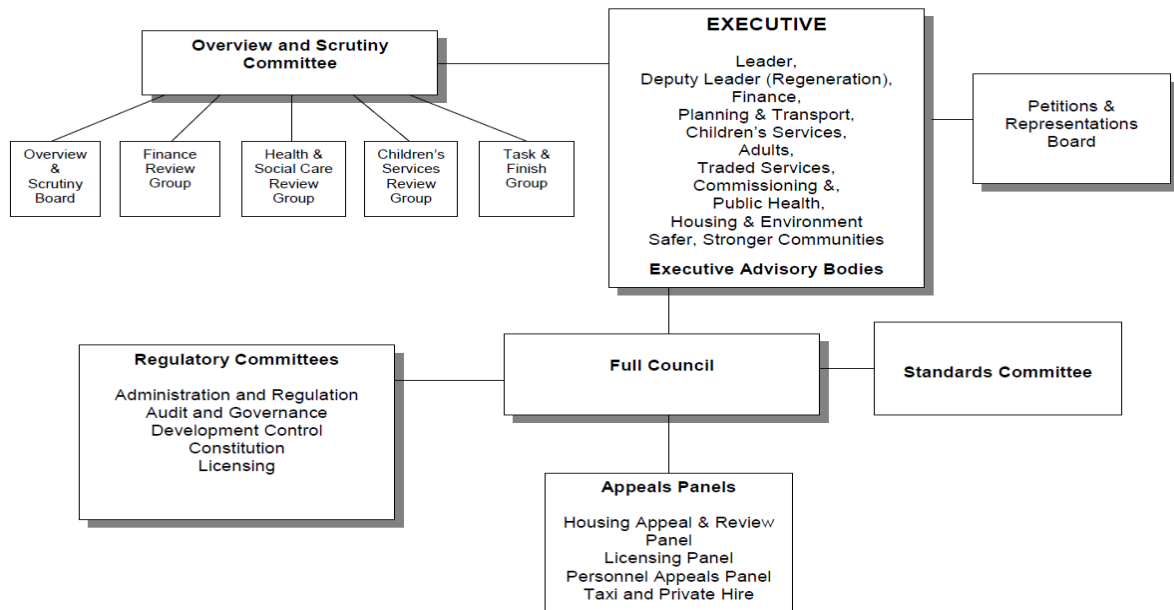
## **8. Committees and meetings**

### **The council's decision making arrangements**

The council has 'executive and scrutiny' decision making arrangements in place. This is a system based on a split between an executive (responsible for decisions on most matters) and scrutiny committees (responsible for holding the executive or decision makers to account).

This is similar to the way in which parliament operates, with the government being the executive and select committees in their scrutiny role, holding the government to account.

## COUNCIL'S DECISION MAKING DIAGRAM:



### The executive

The executive is responsible for the majority of the council's activities - these are known as executive functions. Some matters are exempt from these arrangements and are dealt with by committees (see below). These matters are known as non-executive functions. They form a small proportion of the council's overall activities.

The executive's responsibilities include:

- all social services activities
- nearly all education activities
- all matters relating to the internal workings of the authority (eg human resources, finance etc)
- nearly all housing matters

Whilst the law provides for individual executive members to make decisions on their own, Luton Council has chosen not to do this, so 'portfolio holders' have an advisory role. This means that they discuss matters with relevant officers and are responsible for presenting and recommending proposals and actions to the executive collectively. The executive meet and take decisions collectively.

See the intranet for [further details on how the executive operates](#).

### Non- executive functions

Non-executive functions are carried out by regulatory committees. The council's regulatory committees are:

- **Standards committee** - responsible for councillors' conduct
- **Development control committee** - responsible for planning applications and some related

matters

- **Administration and regulation committee** - responsible for a range of licensing and environmental protection matters and for certain civic administration matters (eg elections) and other matters which are specified (eg pensions)
- **Constitution committee** - responsible for making recommendations to council on changes to the council's constitution
- **Licensing Committee** - responsible for carrying out the functions of the Licensing Act 2003

The regulatory committees are politically balanced, which mean membership of the committee is in proportion to party representation on the council.

Standards committee also currently includes five independent members who are not members of the council.

### **Scrutiny arrangements**

All executive functions are subject to scrutiny. Scrutiny arrangements comprise an overview and scrutiny committee (OSC), which is the overarching committee and responsible for setting up four sub-committees:

- overview and scrutiny board
- finance review group
- health and social care review group
- children services review group

The OSC also has the responsibility to set up time limited 'task and finish' groups to review areas of policy or special interest. All the scrutiny sub-committees mentioned above can review and scrutinise matters that are of interest to local people and thereafter make recommendations or comments to Inform executive decisions.

Furthermore, a time limited task and finish group when set up can also review decisions and or recommend that alternative decisions be taken, review major areas of the council's policy or activity, and make recommendations to the executive or to council.

Although scrutiny committees have no power to take decisions, they hold the executive or decision makers to account in order to add value and improve policies etc. There are three types of scrutiny.

1. **Major scrutiny** - all scrutiny committees and or a time limited task and finish group established by the OSC takes a theme, issue or policy and meets to debate that particular issue and then submit a report on its recommendations to either the executive or the council.
2. **Review of decisions after they have been implemented** - scrutiny committees and a time limited task and finish groups looks at a decision taken by the executive after it has been implemented and considers whether it was the right decision or taken in the right way. Although the decision cannot be changed by scrutiny, there might be lessons which may mean that things are done differently in future.

3. **'Call-In'** - the overview and scrutiny board scrutinises a decision made by the executive but which has not yet been implemented. Any two members of the council can call in an executive decision. Not all decisions can be called in.

The scrutiny committees may scrutinise non-executive functions carried out by regulatory committees, but the decisions of regulatory committees may not be called-in.

### **Petitions and representations board**

The petitions and representations board:

- receives and considers petitions within the council's petitions scheme
- addresses matters of concern to local communities within any areas of the town
- makes recommendations, comments or gives advice to the executive, council or committee as appropriate

### **Appeal panels**

The council's judicial type business (eg licensing, homelessness appeals, personnel appeals etc) is dealt with by appeal panels. The housing appeal and review panel has a membership of five drawn from a pool of members, the other appeals panels have a membership of three drawn from a pool of members appointed for the purpose and trained in the particular area.

There are some appeal panels which have a statutory membership (which does not include elected council members) and statutory terms of reference (e.g. the education admission and exclusion appeal panels).

### **Full council**

Some decisions are required to be made by full council, although these are relatively few under the executive and scrutiny arrangements.

Full council is responsible for:

- adopting and amending the council's constitution
- approving, adopting or amending the policy framework
- approving, adopting or amending the budget framework

Full council also receives recommendations from regulatory committees like development control committee and referred recommendations from any two members of a regulatory committee under Standing Order 68.1.

There is a period known as 'question time' at the beginning of each council meeting lasting 45 minutes. This gives councillors the opportunity to ask questions of the executive leader, executive members and chairs of regulatory committees and scrutiny, provided notice of the question is given in advance.

The council meeting is more formal than other meetings and is dealt with in a very procedural way with very fixed rules for debate. [Further details can be found on the intranet](#). You might find the

procedure at council meetings difficult at first, so if you have any specific questions on your role at the council meeting please contact:

- **Debbie Janes**, Democracy Manager on (54)6038
- **Angela Claridge**, Head of HR and Monitoring Officer (54)6291

### **The council's constitution**

The council has adopted a constitution which contains details of all the rules under which the council operates.

The council constitution can also be [accessed on the council's website](#).

It's essential that you read and are familiar with the council's constitution as it details procedures and standards expected of councillors and officers. Parts 9 and 10 of the constitution can be found in [section 11 of this handbook](#).

## **9. Councillors' roles**

The council consists of 48 members or councillors, elected by local residents. The 48 councillors represent the interests of 19 wards. Each ward is a neighbourhood within the town.



The mayor of Luton is chosen annually, by councillors, from their number. The mayor represents the council and the town in civic and public functions and chairs meetings of full council.

### **Councillor role description**

#### **Main role**

1. Contribute towards the good local government of the area and actively encourage community participation and citizen involvement in the democratic decision making processes.
2. To contribute actively to the formation and scrutiny of the authority's policies, budget, strategies and service delivery.

3. To champion the causes which best relate to the core values and objectives of the council.
4. Effectively represent the interests of the ward and of individual constituents and deal with constituents' enquiries and representations, fairly and without prejudice.

### **Duties and responsibilities**

1. To fulfil the statutory and locally determined requirements of an elected member of a local authority and the authority itself, including compliance with all relevant codes of conduct and participation in those decisions and activities reserved for the services falling within the committee's, panel's, forum's remit, human resources issues, staff appointments, fees and charges and liaison with other public bodies to promote better understanding and partnership working.
2. To participate, as appointed, in executive decision making and scrutiny process of the services and policies of the authority and their effectiveness in meeting the strategic objectives of the authority and the needs of its residents.
3. To participate, as appointed, in area based consultation and decision making processes with the community and other organisations.
4. To develop and maintain a working knowledge of the authority's services, management arrangements, powers/duties and constraints (including attending training events when required) and to develop good working relationships with relevant officers of the authority.
5. To participate in the activities of any political group of which the councillor is a member.
6. To participate actively in the local area structure and to be instrumental in involving local people in the development of council policy and decision making through this forum.
7. To meet regularly with key local stakeholders, through the ward/area forum and any other necessary means.
8. To use local knowledge in the development of council policies, including listening to the needs of local people and taking their views into account when considering policy proposals and decision making.
9. To ensure that local people are informed about:
  - services in their area
  - decisions that affect them
  - the reasons why decisions are taken by the council
  - the rights of constituents in the borough
10. To champion the causes which best relate to the interests and sustainability of the community and campaign for the improvement in the quality of life in the community in terms of equity, economy, environment and citizenship.
11. To participate in the activities of any outside body to which the councillor is appointed,

providing two-way communication between it and the council, and to develop and maintain a working knowledge of the authority's policies and practices in relation to that body and of the community's needs and aspirations in respect of that body's roles and functions.

12. To develop and maintain a working knowledge of the organisations, services, activities and other factors which impact upon the community's well-being and identity.
13. To carry out case work on behalf of constituents and to represent their interests to the council.
14. To contribute constructively to open government and democratic renewal through actively encouraging the community to participate in the government of the area and take up their roles in terms of effective citizenship.
15. To act as champion for community cohesion, encouraging engagement, involvement and participation from all local communities within the constituency and actively promoting the message and concept of Luton in Harmony.
16. To provide scrutiny and challenge, through the role of corporate parent, to the services for and outcomes of children in the care of the local authority.
17. To champion the role of the council in ensuring children and vulnerable adults are safeguarded and protected from harm.

### **The role of the committee chair**

The nature and function of scrutiny committees and regulatory committees are very different, each operates as a committee and the degree of formality differs according to the nature of the meeting, all have a chair to lead the proceedings.

Upon being elected, the chair is authorised to regulate and control the meeting. The powers and duties of the chair are not prescribed by statute (other than to give a second or casting vote in the event of a tie) but are taken from Standing Orders and common law.

As long as the chair acts within the terms of reference of the committee(s), s/he has almost total control of the meeting.

It is the duty of the chair to keep order and ensure that the proceedings are conducted properly. This includes ensuring that the objectives of the meeting, the issues being discussed and the decisions being made, are clear to those present.

### **Council questions**

Any councillor can ask at council, any questions of the following, on any area of the council's business:

- executive leader
- a named executive member having (portfolio) responsibility for the matter to which the question relates

- the chair of the overview and scrutiny board
- the chair of a regulatory committee

Councillors are invited to submit questions on a form which asks:

- of whom the question will be asked
- the terms of the question to be asked

Such questions are required to be submitted by 10am, two working days before the day of the council meeting.

### **Regulatory committees and appeal panels**

Members of the standards committee or regulatory committees (such as development control committee) and judicial appeal panels (such as housing appeals), have very specific roles to play, which carry a great degree of responsibility.

Development control committee exercises the powers and duties of the council as local planning authority under specific statutory provisions. It is necessary for members of that committee to be fully briefed in the legal and procedural requirements of this role, which is unlike any other and acts almost outside the council's usual operations.

Appeal panels have a responsibility to determine appeals based on written and oral evidence presented to them within the legal and procedural framework that applies. It is important that councillors ensure decisions are valid and consistent, so a detailed briefing is a requirement of membership.

Members of the council's standards committee play a very specific role in promoting and maintaining high standards of conduct by councillors. The code of conduct for members is very specific about the standard of conduct required of members of the council and breaches of this code could be referred to the standards committee for consideration.

It is very important therefore that members of standards committee are very well versed in the code of conduct for members.

### **Members' representational role**

Councillors can be in demand by members of the public to deal with issues of concern to them. Some political groups hold ward surgeries where members of the public can call in on a 'drop in' basis and raise issues directly with councillors.

These surgeries can be held in a variety of locations for which the council will bear reasonable costs. Please speak to your group leader or the BMS team for further details. There's also a personal safety guide included in the information pack covering some points to think about when arranging and holding ward surgeries.

Following up actions from surgeries in the form of ward casework can be very demanding of councillors time as the majority of this falls to the individual councillor to pursue on their



constituents behalf.

[Please see section 6](#) relating to data protection and general data protection regulations regarding how you must treat constituents personal information.

### **Councillors Equalities and Cohesion role**

The Equality Act 2010 and the Public Sector Equality Duties represent a positive opportunity for elected members as public authority leaders to ensure that they make better decisions, based on robust evidence.

By mainstreaming equality will ensure the council complies with its public sector equality duties which will help reduce discrimination and make its services more responsive to the communities it serves.

This will include elected members giving 'due regard' to equality in the decisions they make, ie reviewing integrated impact assessments.

Elected members have a unique position to play in making Luton a more equal and cohesive society by supporting the council's values:

- embrace equalities and diversity, cohesion and inclusion
- respect others
- act with integrity
- constantly strive for improvement
- focus on our customers and citizens
- promote accountability to local people

Elected members are therefore a vital part of the equality and diversity policy process. They represent the residents from our communities and play a crucial role in meeting our responsibilities under legislation

In addition to the corporate values, the council has a longstanding commitment to the values that underpin community cohesion, such as:

- equality
- social inclusion
- tackling hatred
- prejudice and extremism in all its forms
- shaping up our work with communities and partners

We're currently updating our strategy in this area, engaging communities and partners in new conversations on how to make this happen locally together, and linking this work to essential programmes to safeguard vulnerable people from harm and risk.

The council's social justice model which incorporates, equality, diversity and community cohesion is delivered and coordinated by the Strategic Community Services team. The equality lead is available to support and advise all elected members on these particular areas.

Bespoke training on equality and diversity, including unconscious bias, is provided for elected members to ensure they have a clear understanding of how to embed the model in their role.

## **Annual reports**

Councillors can advise their constituents of the issues they have been involved in through an annual report. A pro-forma seeking information, will be provided to councillors and this information will be published on the council's website.

## **Dealing with the media**

We are a major source of interest for the local press and broadcast media, who frequently attend meetings. Whilst the communications team asks that media contacts put requests for interviews and quotes through them, you may receive direct approaches, either by phone, email, face to face or (increasingly) through social media.

You should always assume that anything you say to a journalist will be 'on the record', which means that your comments ("quotes") will be printed and attributed to you. Of course, anything you post on social media is immediately public.

Before responding, you should make sure you are completely confident about your grasp of the subject matter and the background to the story.

You will find an officer briefing extremely helpful and the Communications team will be happy to arrange this, even at short notice. Working with colleagues in any of the departments involved, they can provide you with the details of any issue so that, before your interview, you are fully armed with all the relevant facts and background.

If approached by the news media, it is perfectly acceptable to ask for a little time to check your facts before answering. Simply say that you are unable to speak at that particular moment and that you will get back to them shortly. This will give you time to research the details and think about your answer or contact the communications team for advice. This is preferable to saying "no comment" which could imply that you had something to hide.

A considered response is vital if you are to help the journalist get the story right. Although they may well put you under considerable pressure to give an instant response, you should always avoid speaking 'off the cuff'.

However, you should also bear in mind that journalists, even those on weekly papers, often work to extremely tight deadlines. If you say you'll get back to them at an agreed time, make sure you stick to the arrangement.

**Contact:** If you are in any doubt or require advice please contact the communications and engagement team on (54) 6187 before responding to any media request.

## **How the executive operates**

### **Executive members**

The executive comprises ten councillors, made up of an executive leader, a deputy executive leader and eight other members, known as portfolio holders. Each are allocated a specific 'portfolio' of responsibility. Currently, these areas of responsibility are:

- finance
- regeneration
- environment
- children's services
- public health
- housing
- adult social care
- social justice
- community safety

The executive leader has specific responsibilities (such as coordination and leadership, external representation) and an overview on various matters (such as major developments, internal communication).

The executive leader is appointed by full council for a term of four years. The executive leader appoints members of the executive and the deputy executive leader and allocates the portfolios to individual executive members.

### **Executive meetings**

The executive usually meets every three weeks on a Monday evening at 6pm to consider the matters that will come before it.

The executive decides all matters that come before it and will not (apart from a very small number of exceptions) refer matters to full council as recommendations.

### **Key decisions**

Some issues which come before the executive are known as 'key decisions'. [Further information on key decisions can be found on the intranet](#) in the councillors' handbook under 'How the Executive operates'.

### **Forward plan**

The forward plan is updated and published 28 clear days before the listed decision is intended to be made. Any outstanding matters are carried forward. The forward plan, once published, is sent to all members of the council for information so that they can see what items are coming forward. The document is available for inspection by the public at the Democracy team office and on the council's website.

### **Publishing executive decisions**

Within two working days of an executive meeting, the decisions of that meeting are required to be published. Links to the decisions are emailed to all members of the council together with a 'call in' form and a copy of the call in procedure.

The decisions cannot be acted upon for five working days from the date of publication to allow any two members an opportunity to call in a decision that they may be unhappy with.

### **Call in**

Any decision of the executive (with one or two exceptions) may then be 'called-in'. If the decision is

called-in it will be referred to the overview and scrutiny board. Timescales as specified in the constitution apply to the consideration of a called-in decision by the overview and scrutiny board or a task and finish group.

[Find further information on the call in process here.](#)

### **How overview and scrutiny operates**

The scrutiny arrangements comprise an overview and scrutiny board, which oversees the scrutiny process and is the primary body for accountability and strategy development. It also establishes time limited task and finish groups for detailed review.

The chair of the board is elected from a party not represented on the executive. The board also has two vice-chairs, one from each of the political parties not represented by the chair.

With the agreement of the full council, total disapplication of the political balance rules has been applied to the membership of the overview and scrutiny board and any task and finish group established by it. This allows the overview and scrutiny board to operate within a workable number of members and allows maximum flexibility for political groups.

The membership of the board includes representative of the Church of England, the catholic church and two parent governors. These representatives are required by legislation to be appointed and have full voting rights in relation to education matters only.

The board has power to establish individual task and finish groups to carry out reviews into issues identified by the Board as requiring detailed examination. Whilst the board will set the total number of members to sit on a task and finish group and the timescale for the review, the membership is sought on an 'expressions of interest' basis, to encourage those members most engaged and interested in the topic to put their names forward to become members of the task and finish group.

Given the importance of financial scrutiny, scrutiny of health-related issues and scrutiny of children's services, a review groups have been established for each by the overview and scrutiny board which are not time limited and continue across municipal years.

### **Selecting an issue for review by a task and finish group**

The overview and scrutiny board has an agreed set of criteria to determine if an issue should be reviewed by a task and finish group.

Suggestions for issues for review need to be made using the topic selection form available from the Democracy team.

All suggestions will be matched against the selection criteria and considered by the overview and scrutiny board, which will make the decision whether to examine the topic, adopt the topic for immediate review, or prioritise for the future

### **Task and finish group review process**

The task and finish group is responsible for project managing the review, within the parameters set by the overview and scrutiny board. It will be the direct responsibility of the task and finish group

chair to ensure that the expectations of the board are delivered.

Officer advice and support to the task and finish group is given by an officer project team. The project team usually consists of:

- a Democracy and Scrutiny Officer
- a departmental and/or partner representative
- a representative of the Consultation and Engagement team
- any other specialist representative as required (eg finance)

### **Review of executive decisions following implementation**

The overview and scrutiny board may look at a decision after it has been implemented to consider whether, in the light of practical experience, it has worked out as planned.

Whilst this can be looked at in some depth with the aim of identifying how a matter could have been handled differently, the board cannot change the decision of the executive.

### **Call-in**

Call-in is a 'fail safe' mechanism for areas of real concern to be flagged up by members where they feel an executive decision needs further consideration. Ultimately only the executive can choose to change their decision. The call-in process has been used rarely which could be seen as an indication that the executive and overview and scrutiny arrangements are operating effectively.

A called in item is considered by the overview and scrutiny board at a meeting specifically convened for that purpose or at a scheduled meeting if the chair of the board agrees. The called-in decision must be referred to the board in sufficient time to enable the board to decide, within 20 days of the publication date, if it wishes to take any of the following actions:

- a) indicate they have no objection to the decision being implemented
- b) refer the decision back to the executive for reconsideration or amendment
- c) refer the matter to a task and finish group
- d) refer the called-in decision to council

If the matter is referred to council or to a task and finish group, the matter must still be determined within 20 days of the expiry of the call-in period. In any event, a called-in decision may be implemented on the 21st working day after the expiry of the call-in period.

### **Councillor call for action**

The 'councillor call for action' (CCFA) power allows a councillor to formally request an issue in their ward to be investigated further by the overview and scrutiny board. However, the intention behind the legislation is for the CCFA to be used as a last resort, where all other avenues have failed.

## **10. Members' allowances**

The Council has a scheme of members' allowances which is set out in part 13 of the constitution. A summary of the provisions is included below.

<b>Description of Allowance</b>	<b>Part 1</b> <b>Position</b>	<b>Amount (£)</b>
Basic Allowance	All Councillors	7,500
Special Responsibility Allowance (SRA)	<p style="text-align: center;"><b>Part 2</b></p> <p>Executive Leader</p> <p>Deputy Executive Leader</p> <p>Members of the Executive (other than Executive Leader and Deputy Executive Leader)</p> <p>Chairs of the following committees:</p> <p>Development Control Committee Overview and Scrutiny Board</p> <p>Chairs of the following committees:</p> <p>Administration Committee Audit and Governance Committee All Area Boards Regulation Committee Scrutiny Health and Social Care Scrutiny Finance Review</p> <p>Leader of the Major Opposition Group</p>	<p>Twice the basic allowance (15,000)</p> <p>Three quarters of the basic allowance (5,625)</p> <p>Three quarters of the basic allowance (5,625)</p> <p>One third of the basic allowance (2,500)</p> <p>One sixth of the basic allowance (1,250)</p> <p>One third of the basic allowance (2,500)</p>
Co-optees' allowance	<p style="text-align: center;"><b>Part 3</b></p> <p>Co-optees allowance (unless Chair of Standards Committee)</p> <p>Co-optees Allowance (where Chair of Standards Committee)</p>	<p>One sixth of the basic allowance (1,250)</p> <p>One third of the basic allowance (2,500)</p>
	<b>Part 4</b>	

Dependants' Carers' Allowance (DCA) for approved duties	Councillors	<p><b>Normal rate:</b> Actual and necessary expenses up to a maximum of £7 per hour</p> <p><b>Exceptional rate:</b> Actual and necessary expenses up to a maximum of £20 per hour to be paid only on the prior approval of the Head of Policy and Performance.</p>
Travelling and Subsistence Allowance (TSA) for approved duties	<b>Part 5</b> Councillors and statutory co-opted members	52.2 pence per mile and subsistence expenses in connection with duties based on actual cost.

**Please note:** Where the amount payable by way of an allowance in the third column of the schedule is expressed as a proportion, fraction or multiple of the basic allowance, then, if the basic allowance is changed, the amount of any allowance which is so expressed shall change to reflect the change in the basic allowance.

The figures in brackets appearing after the description of the amount of the allowance merely reflects the amount payable by reference to the proportion, fraction or, as the case may be, multiple of the basic allowance on the date the scheme takes effect.

## 11. Code of conduct

### Code of conduct, interests and standards

- Under the Localism Act 2011, councils are required to adopt a code dealing with the conduct that is expected of members of the authority. The code places a number of obligations on elected councillors and others and aims to regulate the standards of conduct councillors and others must observe.

The Localism Act requires that a member code of conduct must be 'consistent with the following principles':

- selflessness
- integrity
- objectivity
- accountability

- openness
  - honesty
  - leadership
2. In addition, the Localism Act requires that a member code of conduct must include the provision the authority considers appropriate in respect of the registration in its register, and disclosure, of:
    - pecuniary interests; and
    - interests other than pecuniary interests
  3. As this document is key to the way in which a councillor must conduct themselves, a copy has been enclosed at the end of this section.
  4. The Register of Members' Interests will be divided into two parts:
    - disclosable pecuniary interests, which members are required by law to register
    - personal interests, being those which may be added to the Member's Register of Interests for reasons of openness and transparency
  5. Members are required to comply with the statutory requirements to register, disclose and withdraw from participating in any meeting in respect of any matter in which they have a disclosable pecuniary interest, as defined by the Localism Act 2011 and as set out at table 1 to the new code of conduct (see end of section).
  6. The register of members interests form must be completed and returned to **Angela Claridge** in Legal Services **within 28 days of the election** who, as Monitoring Officer, is responsible for keeping the completed registers of members' interests forms (form at the end of this section). The forms are open to public inspection.

## **Constitution**

Part 9 of the constitution is the code of conduct for members and co-opted members which set out the expectations of how they will behave. The code of conduct provides a detailed description; the information below is a summary.

### **The code of conduct for members**

#### **General obligations**

This includes how members:

- provide leadership to the authority and communities within its area
- have responsibilities with regard to equalities, impartiality and confidentiality
- must not do anything which may cause the Authority to breach its equality duties
- must conduct themselves in a manner which could reasonably be regarded as bringing their office or the Authority into disrepute
- use resources in an appropriate manner



- exercise their own independent judgement, taking decisions for good and substantial reasons
- must submit themselves to whatever scrutiny is appropriate to their office;

### **Registration, disclosure and duties on interests held by members and co-opted members**

This section describes how members must register their interests with the Monitoring Officer and keep the register up to date.

There are specific rules, defined in detail, about how members must behave at meetings when they have disclosable pecuniary interest. This also includes interests of family, friends and close associates.

Disclosable pecuniary interests include:

- employment, office, trade, profession or vocation
- sponsorship
- contracts
- land
- licences
- corporate tenancies
- securities

Other interests include:

- public bodies
- charitable bodies
- bodies which influence public opinion or policy

There are also requirements to register gifts and hospitality over £75 in value, received in their role as a councillor, from people or organisations outside the authority.

### **Protocol for member/officer relations**

This section sets out how members and officers will work together, describing the standards expected. This is based on the principle of mutual respect, recognising that both members and officers are servants of the public. It recognises the importance of standards of courtesy and the need to avoid close personal familiarity.

This section recognises that members are responsible for the development of policy proposals, receiving advice as necessary from officers. Councillors must acknowledge that officers may only act in accordance with or implement decisions of the executive or of the full council, the executive or the council's committees and sub-committees, unless powers have been formally delegated to the officer concerned specifically or under the council's scheme of delegation to officers

It describes the role of officers to implement and to manage the implementation of council policy, ensuring that members receive appropriate professional advice.

Officers are accountable to the council as a whole and not directly to the community, although they

need to acknowledge that the council serves the community. Officers have a responsibility to serve all members and not any particular political party, political group or individual member.

Certain officers have statutory responsibilities relating to the overall conduct of the council's activities. These officers are as follows:

- head of paid service - the Chief Executive
- head of finance - the Head of Finance
- monitoring officer - this is the head of Human Resources and Monitoring Officer

These officers are sometimes known as the statutory officers and they each have specific statutory powers in support of their roles.

### **Role of individual members**

This section describes how members can only make decisions as part of a formally constituted meeting of full council, the executive or a committee or sub-committee. It also details the information to which members will be entitled, referred to as the 'need to know'.

### **Role of the executive leader and portfolio holders**

This section describes how the executive leader and portfolio holders are appointed and their powers and responsibilities.

### **Roles of chairs**

This section describes the expectations of members who have responsibility for chairing meeting, identifying some of their responsibilities between meetings – for example, formal or ceremonial functions.

### **Role of political group leaders**

This describes the role of the political group leaders and how they may be consulted on behalf of the group.

### **Officer advice to political groups**

This section sets out the arrangements for officers to give advice to the political groups and how this must relate to council business. It sets out how this should be organised and the expectations of both members and officers. Where advice is offered to one political group, this should also be offered to other political groups.

### **Officer advice to the full council, the executive and to the council's committees**

This section recognises the role of officers to advise professionally and to ensure that the full council, the executive or the council's committees and sub-committees receive proper professional advice.

Councillors should acknowledge the role and duty of officers to give unbiased and politically neutral professional advice. It may occasionally be the duty of officers to give advice to councillors that is unpopular or unwelcome, or to warn members of the consequences of action, and members should respect this.

This section also describes what members should do in the event that they are dissatisfied with

the advice they receive.

### **Advice to political group leaders and individual members**

This section describes the advice that might be given as well as setting out the requirement for officers to maintain confidentiality

### **Social and personal relationships**

This section recognises the importance of good working relationships between members and officers but notes that they should not become so close as to affect the member's ability to carry out their role.

There are requirements for members and officers to disclose close relationships to the head of the paid service (Chief Executive). 'Closely related' is defined as where a member is:

- married to or is the partner of an officer, or is in a close personal relationship with an officer
- the daughter, son, brother, sister, parent, grandparent, uncle, aunt, nephew, or niece of an officer
- in a family relationship with an officer, which although not falling with any of the above, is a close family relationship
- a close personal friend of an officer and the member and officer are likely to come into contact with each other in the course of the officer's work
- a business partner or business associate of an officer
- to their knowledge, a member of the same social club or association as an officer (apart from large national associations or societies, unless the member and officer are likely to come into contact with each other arising from membership)

### **Access to Information and to council documents**

This section details the 'right to know' and sets out the circumstances in which members will be entitled to receive information. It also sets out how councillors may be able to use the information that they receive

### **Decisions under delegated power**

No non-executive or executive powers are currently delegated to individual members. However, portfolio holders may have special interest in specific issues. In these cases, the role of the portfolio holder may include:

- providing a point of reference for an officer who wishes to sound out the member perspective before taking an executive decision under powers delegated to that officer
- providing a better-informed elected member perspective and opinion on any relevant proposals before (or likely to come before) the council, the executive or the council's committees or sub-committees
- appearing, as appropriate, before any relevant overview and scrutiny committee on behalf of the executive
- making position statements or responding to questions on the relevant area of activity, on behalf of the full council, the executive or the council's committees or sub-committees at

any meeting.

Decision may be delegated to officers and this section describes the issues that may need to be taken into account including when there is not agreement between the member and the officer.

### **Guidance to councillors and officers on employment issues**

Members may be approached by officers about employment issues, although this is not encouraged. This section advises members about appropriate action including:

- listening to the nature of the issue
- offering advice about where the officer can get assistance and support e.g. trade union, HR staff, manager, website
- pointing to the various mechanisms which the council has in place for resolving issues and disputes with groups of employees and individual (these are explained below)
- satisfying themselves that the council's procedures (including the whistleblowing procedures where appropriate) are being followed correctly in that case and receiving details of the outcome

If there is concern that procedures are not being followed. the member should seek advice from the Monitoring Officer or the relevant director or head of service.

The following procedures are available for officers to raise individual issues in relation to their employment:

- Grievance Resolution Procedure – covers individual issues not covered by any other procedure
- Unfair Discrimination, Harassment and Bullying procedure
- Various appeal procedures, for example within the following:
  - Handling Organisational Change Procedure
  - Disciplinary Procedure
  - Employee Performance Procedure and Probationary Policy

### **The council's media relations**

This section identifies issues to be taken into consideration when working with the media and the assistance available from the Communications and Engagement team

### **When things go wrong**

This section describes the steps that can be taken by councillors and officers when they have concerns about the conduct of each other.

## **12. Complaints**

### **Complaints against the council**

Complaints not only give the council the opportunity to put things right, but provide learning to help us provide better services.

The council has four different complaints procedures to ensure that it meets its statutory requirements:

- adults' social care complaints
- children's complaints
- corporate complaints
- housing complaints

The complaints procedures will not deal with issues that may be part of an appeals process such as:

- housing benefits
- schools admissions
- parking fixed penalty notices

Sometimes residents will describe an issue as a complaint when they are asking for a service. In those cases this will be treated as a service request rather than a complaint

We aim to respond to all stage one complaints within ten working days.

### **Complaints against councillors**

Complaints about the behaviour of elected members will be referred to the Monitoring Officer who may refer the issue to the standards committee.

Full details of the council's corporate complaints procedure can be found in part 18 of the council's constitution.

## **13. Key strategies**

### **Luton Investment Framework (LIF)**

The LIF was launched in April 2016. It sets out a 20-year plan for major transformation to take place in Luton in order to achieve strong and sustainable growth in the town.

The council has come together with partners and investors to secure more than £1.5 billion investment for the town across a number of development sites.

Its goal is to achieve strong, sustainable, balanced growth:

- to realise Luton's potential through its people, and create a skilled, aspiring workforce
- to build Luton's reputation as a vibrant place for people and families to live in harmony, work and relax
- to grow successful businesses through inward investment
- to maximise Luton's assets – its location, workforce, connectivity and as a centre of excellence in learning and creativity
- to become an innovation leader in technology, aviation, health and wellbeing

### **Corporate Plan**

This Corporate Plan draws together all the key elements of Luton Council's proposals for how it will serve the town over the next few years.

As well as looking at the current status of the authority, in financial terms and in other ways, it:

- examines our priorities and plans for service delivery in Luton
- explains how the council aims to transform itself over the coming years
- sets out our medium-term financial plan

Our Corporate Plan consists of three elements which we adhere to as an authority, whichh are:

- corporate mission statement
- our vision
- our corporate values

## **14. Frequently asked questions**

### **Who should I inform if I am taking leave?**

You should contact the leader of your political group, the group secretary and/or the Democracy team.

### **Who should I inform if I change my contact details?**

Call or email a member of the BMS team.

### **When do I get paid?**

You will be paid on the 27th of the month unless it falls at the weekend or a bank holiday when it will be paid on the preceding Friday.

### **What can I claim on expenses?**

Please refer to the constitution part 13 - [Scheme of members' allowances](#).

Pink expense forms need to be with payroll usually by the 8th of the month. Forms need to be passed to the manager of the BMS team for authorisation. In order for the payroll deadline to be met form they need to be with BMS by the 1st of the month except December when the deadline will be earlier.

### **Why are some council agendas printed on yellow or green paper?**

Council agendas printed on yellow or green paper are private papers that are not for the public domain. Yellow papers are in respect of council meetings and green papers in relation to the Airport Board. These should be disposed of in the shredding boxes found in the group rooms, Democracy team or BMS team.

### **Who do I contact if I have problems with my IT equipment?**

Call the IT help line on (54)6666 detailing your problem and state that you are a VIP. As a councillor they should deal with your issue urgently.

### **Who do I contact if I have problems with my council mobile phone?**

Call the IT help line on (54) 6666 detailing your problem and state that you are a VIP. As a councillor they should deal with your issue urgently.

## Who do I send apologies to if I cannot attend a council meeting?

Call the Democracy team who will record your apologies for the relevant meetings.

## What is quorum for a meeting?

A quorum is the minimum number of councillors required to be present at a meeting to meet statutory requirements. Meetings vary in quorum required but most meetings have a quorum of three and for full council it is twelve members.

Any questions not listed above please contact the BMS team who will be able to answer your question or signpost you to where you need to go.

## 15. Abbreviations

AL	Active Luton
ALPS	Alternative Learning and Progression Service
ASBO	Anti Social Behaviour Order
ASC	Adult Social Care
BAME	Black Asian and Minority Ethnic
BCF	Better Care Fund
BME	Black and Ethnic Minority
BT	Better Together
BTS	Building and Technical Services
CAF	Common Assessment Framework
CCCPG	Community Cohesion Contingency Planning Group
CCG	Clinical Commissioning Group
CD	Community Development
C&L	Children and Learning
CfPS	Centre for Public Scrutiny
CPO	Compulsory Purchase Order
CQC	Care Quality Commission
CSE	Community Safety Executive
CSP	Community Safety Partnership
CT	Council Tax
CTS	Commercial and Transformation Services
DASS	Director of Adult Social Services
DFG	Disabled Facilities Grant
DHP	Discretionary Housing Payment
DPA	Data Protection Act
DPH	Director of Public Health
DSC	Director of Children's Services
E&R	Environment and Regeneration
EDMO	Empty Dwellings Management Order
EELGA	East of England Local Government Association

ERDF	European Regional Development Fund
ESF	European Social Fund
ESIF	European Structural and Investment Framework
FOI	Freedom of Information
GF	General Fund
HB	Housing Benefit
HCA	Homes and Communities Agency
HCL	Housing and Community Learning
HECA	Home Energy Conservation Act
HMO	Houses in Multiple Occupation
HRA	Housing Revenue Account
HWBB	Health and Wellbeing Board
IAG	Information, Advice and Guidance
IASS	Independent Advice and Support Service
ICO	Information Commissioner's Office
JSNA	Joint Strategic Needs Assessment
LAN	Luton Advice Network
LAAP	Luton Action Against Poverty
LBC	Luton Borough Council
LC	Luton Culture
LCOF	Luton Council of Faiths
LGA	Local Government Association
LGF	Local Growth Fund
LGO	Local Government Ombudsman
LGIU	Local Government Information Unit
LHP	Local Housing Partnership
LLAL	London Luton Airport Limited
LLAOL	London Luton Airport Operations Limited
LSAB	Luton Safeguarding Adults Board
LSCB	Luton Safeguarding Children Board
NEET	Not in Employment, Education or Training
NG	Neighbourhood Governance
OSB	Overview and Scrutiny Board
PIs	Performance Indicators
PTU	Passenger Transport Unit
RP	Registered Provider



RTB	Right to Buy
SEMLEP	South East Midlands Local Enterprise Partnership
SEN	Special Educational Needs
T&F	Task and Finish (Group)
TAB	Tenants Advisory Board
TARA	Tenant and Resident Association
VCS	Voluntary and Community Sector