

Committee:	Standards Committee	Agenda Item No.:	6.
Date:	8th March 2011	Category	
Subject:	Review of Members' Roles & Responsibilities	Status	Open
Report by:	Principal Solicitor		
Other Officers involved:			
Director	Solicitor to the Council		
Relevant Portfolio Holder			

### **RELEVANT CORPORATE AIMS**

STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation.

Ensuring provisions within the Constitution are fit for purpose giving clearer guidance to Members on their roles within the organisation.

### **TARGETS**

N/A

### **VALUE FOR MONEY**

N/A

### **THE REPORT**

It was decided to carry out a review of the members' job descriptions in Part 5 of the Constitution and to create a more comprehensive description of members' roles and responsibilities. The purpose of this review is to ensure that descriptions of roles and responsibilities are accurate, adequate and fit for purpose.

A critical examination of those job descriptions has taken place, using similar provisions of other councils nationwide to provide useful comparisons.

As a result the job descriptions currently included in the Constitution have been reviewed and updated to provide a more comprehensive and relevant indication of what those roles entail. This will give the relevant members greater clarification of their roles, and will provide further information allowing those members to be held to account as part of the democratic process.

The existing roles which have been reviewed are:

- Leader of the Council
- Members of the Executive
- Members of Scrutiny Committees
- Chair of the Council

It is also proposed that the list of job descriptions be expanded. This will provide clearer guidance to councillors who have important roles to play within the organisation, including the Chairs of Planning and Licensing Committees, the Leader of the Opposition and Vice-Chairs of all committees.

New job descriptions have been included for the following roles:

- All District Councillors
- Deputy Leader of the Council
- Opposition Leader
- Chair of the Scrutiny Management Board
- Chairs of Planning / Licensing Committees
- Chair of Standards Committee
- Vice-Chairs of all Committees

The attached draft roles and responsibilities have been prepared following consultation with the Solicitor to the Council, Member Development Working Group, members of Scrutiny Committee and Cabinet members.

The final approval of the Standards Committee is now sought on the draft roles and responsibilities attached to this report together with recommendation for inclusion in the Constitution by Council.

### **ISSUES FOR CONSIDERATION**

Whether to recommend the amended and additional member Job Descriptions in the Constitution.

### **IMPLICATIONS**

Financial :               None  
Legal :                   None  
Human Resources : None

### **RECOMMENDATION(S) that;**

- (1) the draft roles and responsibilities attached are approved as drafted**
- (2) a recommendation be made to Council that the Constitution be amended to include the new roles and responsibilities as drafted**

ATTACHMENT:            **Y**  
FILE REFERENCE:       **None**  
SOURCE DOCUMENT:    **The Constitution**

**BOLSOVER DISTRICT COUNCIL**

**MEMBERS' ROLES AND RESPONSIBILITIES**

## **DISTRICT COUNCILLOR**

### **Role Purpose**

1. To participate constructively in the good governance of the District.
2. To contribute actively to the formation and scrutiny of the authority's policies, budget, strategies and service delivery
3. To represent effectively the interests of the Ward for which the councillor was elected, and deal with constituents' enquiries and representations
4. To champion the improvement of the quality of life of the community in terms of equity, economy and environment
5. To represent the council effectively, when appointed to an outside body, such as a charitable trust or association, etc.
6. To act at all times with probity and propriety in the best interest of the Council

### **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 to the full Council (e.g. setting budget, overall priorities and strategy)
2. To participate effectively as a member of any committee or Panel to which the councillor is appointed, including related responsibilities for the services falling within the committee's (or Panel's) terms of reference, and its liaison with other public bodies to promote better understanding and partnership working
3. To participate in the activities of any outside body to which the Councillor is appointed, reporting back to the Council and providing two-way communication between the organisations. Also, for this purpose, 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 role and functions
4. To participate in the scrutiny or performance review of the services of the authority including, where the authority so decides, the scrutiny of policies and budget, and their effectiveness in achieving the strategic objectives of the Council
5. To maintain satisfactory attendance at meetings in accordance with local requirements
6. To participate, as appointed, in consultative processes with the community and with other organisations
7. To provide a link between the authority to the community, through the various forums available
8. To develop and maintain a working knowledge of the authority's services, management arrangements, powers/duties, and constraints, and to develop good working relationships with relevant officers of the authority
9. To develop and maintain a working knowledge of the other organisations and services which serve the District

10. To contribute constructively to open government and democratic renewal through active encouragement to the community to participate generally in the democratic process
11. To conduct the business of the Council within the Council and not to make inappropriate use of the written or broadcast media
12. To maintain confidentiality in all relevant Council business
13. To find a suitable substitute and to brief them on the meeting due to be attended, on occasions when personal attendance is not possible and where substitutes are permissible.
14. Not individually to seek to instruct officers and act in accordance with the Protocol on Member/Officer Relations and the Elected Member/Officer Communications Protocol at all times when dealing with officers
15. Be responsible for continuous personal development, engaging in available opportunities for training and development to build on understanding and knowledge, and to develop relevant skills.

### **Skills Required**

1. Good communication and Interpersonal skills
2. Ability to relate and deal with the public in a professional and timely manner
3. Ability to work effectively with Council officers and outside organisations
4. Community Leadership skills

## **EXECUTIVE MEMBERS**

### **Purpose**

1. To provide collective and individual leadership as part of the Executive
2. To undertake lead responsibility for allocated portfolios
3. To contribute effectively towards the strategic direction of the Council

### **Duties and Responsibilities**

1. Participate effectively as a Member of the Executive – take joint responsibility with colleague Executive Members for all actions and be accountable collectively. Challenge issues prior to making decisions if felt appropriate to do so. Ensure appropriate regard to the community's interests and to any equalities and diversity issues. Encourage openness and honesty.
2. To take joint responsibility for proposing the budget and policy framework to the full Council, and for discharging executive functions in accordance with the budget and policy framework
3. Shape and develop the Strategic priorities and vision of the Council, participating in debates and discussion about policy issues across the range of services provided by the Council.
4. Act as the Lead Member for a particular portfolio as may be determined by the Leader of the Council, but in doing so, have regard to the overall collective responsibilities of the Executive and the Council's corporate policy objectives. Champion the portfolio concerned within that strategic context.
5. Recognise the differing roles of members and officers in the Council's Constitution.
6. In connection with the portfolio:
  - a) Build good relationships with appropriate senior officers and work with them in developing policy or strategic issues prior to formal reporting. Be supportive in dealing with any problems at a strategic level
  - b) Keep abreast of related developments and policies at national, regional and local level
  - c) Enhance the Council's reputation through taking the national stage where possible and participating in regional and national networks
  - d) Aim for Bolsover to be at the forefront of service development and provision where possible; take an active interest in related performance indicators and rankings, including visiting other Councils to observe examples of good practice
  - e) Represent the Executive at the Scrutiny Committee in connection with any related matter that may be requisitioned (called in) or otherwise scrutinised.
  - f) Be aware of issues of importance to the community and other stakeholders concerning portfolio services
  - g) Be aware of key budgetary issues by regular monitoring of all income and expenditure affecting the portfolio of the Executive Member

7. Represent the Council on external bodies, as appointed, and feedback to the Executive any issues of relevance/importance.
8. Facilitate a corporate leadership role where appropriate to do so, and foster links through partnerships.
9. Be responsible for continuous personal development. Take advantage of learning opportunities to build on understanding and knowledge, and to develop relevant skills.
10. Along with colleague Executive Members and the Senior Management Team, be available as appropriate for other Members to discuss any queries or matters of concern.
11. To develop and maintain a positive and constructive relationship with the Chief Executive Officer and the Directors.
12. To positively promote the portfolio and where appropriate to act as the spokesperson with the media for that portfolio area only.

### **Skills Required**

1. Good communication and interpersonal skills
2. Ability to analyse and grasp complex issues
3. An understanding of national and local government statutory and financial frameworks
4. An understanding of the Council, including the economic and social situation within Bolsover
5. The ability to understand the Council's budget especially in respect of the relevant portfolio
6. Leadership skills
7. Political knowledge and awareness
8. Ability to work effectively with Council officers, the public, the media and outside organisations
9. Ability to work as part of a team

**NOTE** The above duties and responsibilities are in addition to the member's role as a District Councillor

## **LEADER OF THE COUNCIL**

### **Purpose**

1. To provide effective political leadership and strategic direction for the Council.
2. To ensure effective Corporate Governance
3. To provide effective stewardship of the Council
4. To chair the Cabinet and ensure that it achieves its terms of reference
5. To ensure that the Council delivers high quality, value for money services

### **Duties and Responsibilities**

1. To provide the political leadership to the Council, including proposing the policy framework within which the Council will operate and to take such executive action as may be delegated by the authority
2. To ensure effective Corporate Governance including working with opposition groups to seek to achieve where possible cross party co-operation
3. To lead the Cabinet and be responsible for the Council's corporate and resource strategy
4. To ensure that the Cabinet achieves its terms of reference both collectively and as individual portfolio holders
5. To ensure the effective integration of roles, responsibilities and functions within the Cabinet membership
6. As Leader of the Council, to be the key contact for outside organisations (including Central Government, Local Authority Associations and Council partners) and the Council's Senior Management Team
7. To be the representative voice of the Council, for example, in its dealings with Central Government, other Local Authorities and their Associations and to positively promote the Council as a whole in the media.
8. To act as the political spokesperson for the Council
9. To promote the long term financial, business and economic stability of the Council
10. To encourage the highest standards of probity and corporate governance for the well being of the District.
11. To communicate the Administration's policies and priorities to the Senior Management Team and to receive their advice.
12. To exercise delegated powers in accordance with the Council Constitution.

### **Skills required**

1. Good communication and interpersonal skills
2. To have the ability to analyse and grasp complex issues
3. A good understanding of how local, national and European government operates, including the statutory and financial frameworks
4. A clear understanding of the operation of the Council, including the economic and social situation within Bolsover



5. Business and financial acumen, including the ability to understand and manage the Council's budget
6. Effective leadership skills
7. Excellent political knowledge and awareness
8. The ability to chair meetings and facilitate open discussion
9. The ability to work effectively with Council officers, the public, the media and outside organisations

**NOTE** The above duties and responsibilities are in addition to the member's role as a councillor and as an Executive Member

## **DEPUTY LEADER OF THE COUNCIL**

### **Purpose**

1. To assist and work with the Leader of the Council to provide effective political leadership and strategic direction for the Council.
2. To assist the Leader of the Council with their other responsibilities such as ensuring effective Corporate Governance and Stewardship of the Council and to ensure the Council delivers high quality, value for money services
3. Where appropriate and where permissible under the Council's Constitution to act in the absence of the Leader of the Council.

### **Duties and Responsibilities**

1. To assist and work with the Leader of the Council in delivering his responsibilities to the Council within his job profile
2. To deputise for the Leader of the Council in his absence from Council meetings and, if a member of Cabinet, to deputise in the Leader's absence at Cabinet meetings
3. In the Leader of the Council's absence to carry out the requirements of his job profile so far as legally possible and permissible.
4. To carry out such other duties and undertake portfolio responsibility as delegated by the Leader of the Council

### **Skills required**

1. Good communication and interpersonal skills
2. To have the ability to analyse and grasp complex issues
3. A good understanding of how local, national and European government operates, including the statutory and financial frameworks
4. A clear understanding of the operation of the Council, including the economic and social situation within Bolsover
5. Business and financial acumen, including the ability to understand and manage the Council's budget
6. Effective leadership skills
7. Excellent political knowledge and awareness
8. The ability to chair meetings and facilitate open discussion
9. The ability to work effectively with Council officers, the public, the media and outside organisations

**NOTE** The above duties and responsibilities are in addition to the member's role as a councillor and as an Executive Member with portfolio

## **LEADER OF AN OPPOSITON GROUP**

### **Purpose**

1. To provide effective leadership and strategic direction for an opposition party.

### **Duties and Responsibilities**

1. To provide the leadership of an opposition party including scrutiny of the majority group's administration of the Council.
2. To act as spokesperson for the Opposition Group of which he/she is leader
3. To promote the long term financial, business and economic stability of the Council
4. To encourage the highest standards of probity and corporate governance.
5. To represent the Council's best interests on all organisations to which he/she is nominated by the Council.
6. To lead their Group in a positive, pro-active manner with a view to securing meaningful engagement for the Group in the political processes of the Council and that the Group and its individual members contribute fully to the good governance of the district.
7. To work to secure effective cross-party dialogue and co-operative working with other political Groups so far as this is consistent with the agreed political objectives of the Group.
8. To ensure that members of the Group are aware of the need to secure efficient and effective working relationships based on mutual co-operation and respect, with any officer with whom such member may need to deal, either individually or on Group business.
9. To participate in the appointment and/or performance appraisal procedures for the posts of Chief Executive and Directors.

### **Skills required**

1. Good communication and interpersonal skills
2. To have the ability to analyse and grasp complex issues
3. A good understanding of how local, national and European government operates, including the statutory and financial frameworks
4. A clear understanding of the operation of the Council, including the economic and social situation within Bolsover
5. Business and financial acumen, including the ability to understand the Council's budget
6. Effective leadership skills
7. Excellent political knowledge and awareness
8. The ability to chair meetings and facilitate open discussion
9. The ability to work effectively with Council officers, the public, the media and outside organisations

**NOTE** The above duties and responsibilities are in addition to the member's role as a councillor.

## **CHAIR OF SCRUTINY MANAGEMENT BOARD**

### **Purpose**

1. To maintain effective liaison with the Leader of the Council and the Chief Executive to ensure that scrutiny committees contribute to effective decision-making.
2. To represent Scrutiny Management Board and be accountable to council for the actions of the scrutiny committees.
3. To ensure that overview and scrutiny is publicised and communicated to build understanding of its role both within and outside the council.
4. To represent the council at regional and national forums concerned with overview and scrutiny.

### **Duties and responsibilities**

1. To Chair the meetings of the Scrutiny Management Board.
2. To ensure that scrutiny work is properly co-ordinated between the scrutiny committees.
3. To maintain an overview of the work of all the committees in order to ensure effective co-ordination and progress of all work.
4. To monitor progress of all scrutiny reviews and ensure that they are completed in reasonable time.
5. To support and advise the chairs of the scrutiny committees
6. To receive all requests for scrutiny and ensure initial investigation to inform consideration at the Management Board.
7. To monitor the use of 'call-in' procedures to advise on whether the procedure is being used appropriately.
8. To maintain an overview of scrutiny in Bolsover and to learn from practice elsewhere.
9. To ensure the continuing development of scrutiny in Bolsover through improving both practice and how it is organised.
10. To encourage the involvement of all interested parties and stakeholders, individuals, voluntary and community groups in scrutiny matters.

### **Skills Required**

1. Good communication and interpersonal skills
2. Leadership and chairmanship skills
3. Project and time management skills
4. Ability to influence and work constructively with members, officers, the public and outside organisations
5. Ability to work as part of a team

**NOTE** The above duties and responsibilities are in addition to the member's role as a councillor.

## **CHAIRS OF SCRUTINY COMMITTEES**

### **Purpose**

1. To provide leadership of & direction to their particular Committee
2. To ensure that adequate resources (financial & officer support) are identified and sought from the Council
3. To chair Committee meetings and ensure the Committee achieves its terms of reference

### **Duties and responsibilities**

1. To ensure that Committee members lead on developing an effective work programme
2. To encourage Committee members to obtain necessary skills to carry out the scrutiny role and to work with officers to provide training if necessary
3. To endeavour to engage all members of the Committee within the scrutiny process
4. To lead the Committee in prioritising its work so as to ensure effective scrutiny
5. To co-ordinate work with other scrutiny Committees & Chairmen and to share learning
6. To develop a constructive relationship with the Executive, especially with relevant portfolio holders
7. To develop a constructive relationship with the Directors/Heads of Service in the areas that the Committee scrutinises
8. To find a suitable substitute and to brief them on the meeting due to be attended, on occasions when personal attendance is not possible and where substitutes are permissible.

### **Skills Required**

1. Good communication and interpersonal skills
2. Leadership and chairmanship skills
3. Project and time management skills
4. Ability to influence and work constructively with members, officers, the public and outside organisations
5. Ability to work as part of a team

**NOTE** The above duties and responsibilities are in addition to the member's role as a councillor.

## **CHAIRS OF PLANNING/LICENSING COMMITTEES**

### **Purpose**

1. To provide leadership of and direction to the Committee
2. To demonstrate to the public, applicants, objectors etc., fair and open decision making by or on behalf of the Committee
3. To ensure that adequate resources (financial and officer support) are identified and sought from the Council
4. To chair and manage Committee meetings and ensure the Committee achieves its terms of reference

### **Duties and responsibilities**

1. To ensure Committee members obtain the necessary skills and training to contribute to the work of the Committee and to work with officers to provide training if necessary
2. To endeavour to engage all members of the Committee in its activities
3. To lead the Committee, in consultation with officers, in prioritising its work
4. To develop a constructive relationship with the relevant Director and their staff and where appropriate, with relevant portfolio holders
5. To be willing to learn about the professional disciplines and services relevant to the work of the Committee
6. To find a suitable substitute and to brief them on the meeting due to be attended, on occasions when personal attendance is not possible
7. To Chair the committee in a fair and open manner in accordance with the procedures of the committee, applicants and objectors to put their arguments to the committee
8. To ensure the Committee fully considers the merits of any applications taking account of national and local policies and guidance and any other material considerations
9. To guide, with the assistance of officers, the committee to reach decisions based on the information presented to it
10. Where necessary, to act as witness for the Council at any court hearing, tribunal or other appeal against a decision made by that Committee

### **Skills Required**

1. Good communication and interpersonal skills
2. Leadership and excellent chairmanship skills
3. Project and time management skills
4. Ability to influence and work constructively with members, officers, the public, external advisors and outside organisations
5. Ability to work as part of a team

**NOTE** The above duties and responsibilities are in addition to the member's role as a Councillor

## **CHAIR OF THE COUNCIL**

### **Role Purpose**

1. To chair meetings of the Council
2. To act as the civic representative of the Council
3. To provide civic leadership to the Council and local communities; and
4. To fulfil all other requirements of the Constitution relative to the role of chairman.

### **Duties and Responsibilities**

1. To ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which Members who are not in the Cabinet or hold Committee Chairs are able to hold the Cabinet and Committee Chairs to account
2. To represent the Council to the local community for example the local business community, local partnerships, opening schools, presenting awards, and attending meetings and events of local societies and clubs.
3. To represent the interests of the Council locally, regionally and nationally and undertaking such representative duties as may be required and acting as an advocate for the Council and local communities.
4. To lead the work of the Council and encouraging members to work together as a team for the benefit of the Council, its communities and stakeholders.
5. To liaise with the Chief Executive Officer and other officers on a regular basis through Senior Management Team and otherwise and the Customer Service and Performance Department in its acceptance or otherwise of invitations, transport and other arrangements.
6. To lead by example and achieve the highest standards of probity in public life and in all matters relating to the Council's Code of Conduct, other Protocols and Codes and Ethics rules generally.

### **Skills Required**

1. Good communication and interpersonal skills
2. Leadership and excellent chairmanship skills
3. Time management skills

## VICE-CHAIRS OF ALL COMMITTEES

### **Role Purpose:**

1. To deputise for the Chair of the relevant Committee in his/her absence;
2. To provide support to the Chair of the relevant Committee

### **Duties and Responsibilities**

1. To provide leadership of and direction to the Committee in the absence of the Chair
2. To undertake such tasks and responsibilities as are allocated to him/her by the Chair of the relevant Committee and in keeping with the Terms of Reference of the relevant Committee;
3. To otherwise assist the Chair-in his/her role and attend relevant meetings with Officers, Elected Members, organisations and members of the public (as necessary) so as to further the Terms of Reference of the relevant Committee.

### **Skills Required**

1. Good communication and interpersonal skills
2. Leadership and excellent chairmanship skills
3. Project and time management skills
4. Ability to influence and work constructively with members, officers, the public, external advisors and outside organisations
5. Ability to work as part of a team

**NOTE** The above duties and responsibilities are in addition to the member's role as a Councillor



*The following role profile included although it relates to a role which is not undertaken by an elected Councillor, but by a layperson who is independent from the Council:*

### **CHAIR OF STANDARDS COMMITTEE**

#### **Role Purpose**

1. To chair the Standards Committee in accordance with its terms of reference
2. To chair panels dealing with allegations of breach of the Council's Code of Conduct.

#### **Duties and responsibilities**

1. To foster and maintain a disciplined approach by the Members involved having regard to high standards of behaviour and ethics
2. To work with the Council's Monitoring Officer in promoting and supporting standards of behaviour and ethics among all Councillors on Bolsover District Council and on parish and town councils in the area
3. To advise officers on the content of the agenda for Committee meetings
4. To represent the Council in all dealings with the public, media and other bodies in respect of the work of the Committee
5. To ensure that all matters referred to it are dealt with promptly and in accordance with local and national guidance and on an entirely apolitical basis
6. To act as a spokesperson for the Standards Committee
7. To present any reports or findings to the relevant bodies within the Council
8. To establish and maintain the necessary knowledge and understanding of the Council's structures and processes to facilitate this role
9. To ensure that Members and co-opted Members of the Council receive the continuous development and training they require on matters relating to the Council's Code of Conduct

#### **Skills Required**

1. Good communication and interpersonal skills
2. Leadership and excellent chairmanship skills
3. Time management skills
4. Assimilating and analysing complex and contradictory information
5. Obtaining and weighing up evidence and making decisions based on that evidence
6. Ability to influence and work constructively with members, officers, the public, external advisors and outside organisations
7. Ability to work as part of a team