

COUNCIL
25 JULY 2019

Report of the Head of Corporate Services

REVIEW OF THE CIVIC CHAIRMAN PROTOCOL

PURPOSE OF THE REPORT

To propose amendments to the Civic Protocol with the aim of modernising the aims of the role without diminishing its historical importance

RECOMMENDATION

1. That the revised Protocol set out in Appendix 1 to the report is approved.
2. That the role of Chairman of the District of the Derbyshire Dales is renamed Civic Chairman with immediate effect.
3. That the provision of a civic car is reviewed in September 2020.

WARDS AFFECTED

All

STRATEGIC LINK

The role of Civic Chairman, as ambassador for the District Council can be an effective link between the District Council and the communities it serves.

1. BACKGROUND

- 1.1 At its meeting on 26 January 2017, Council agreed to revisions to the Protocol of the Use of the Civic Allowance. The review aimed to modernise the role of the Chairman of the District of the Derbyshire Dales (most commonly known as the Civic Chairman) and contribute to the overall savings target in terms of a reduction to the civic allowance. Council agreed to refresh the Protocol and to reduce the allowance by 10% over the following two financial years. The savings has been achieved. The current allowance for the role of Civic Chairman and Deputy are £3200 and £950 respectively.
- 1.2 One outstanding decision of the Council (minute 354/16 refers) is “That the role of Civic Chairman be formally reviewed in 2019”
- 1.3 The topic was discussed informally at the recent Leaders Advisory Group, where participants agreed that the role could be modernised. This report addresses that issue whilst seeking to maintain the historical importance of the role.

2. REVISED PROTOCOL

2.1 The revised protocol is attached at Appendix 1. The main changes are to

- Expand upon the aims of the role by linking the ambassadorial role to the communities of the Derbyshire Dales and to focus the activities of the role within the Derbyshire Dales.
- Limit the use of the public purse for hospitality and to publish how the allowance has been spent
- Introduce a thematic approach to events organised by the Civic Chairman. This is not intended to restrict the Chairman in his/her choice of activity overall, but to offer an opportunity for at least one to have a corporate focus. For example the environmental theme links to the District Council's commitment towards Climate Change and may provide an opportunity for the District Council to acknowledge, through the Civic Chairman, the achievements of groups and individuals in our communities.
- Provide a figurehead to the District Council's commitment to Fair Trade
- To foster links with local schools to encourage participation in democracy by young people
- Recognise the commonly used name as better describing the role to an external audience by renaming it Civic Chairman, with Deputy Civic Chairman in support.

2.2 The protocol mentions use of a dual use vehicle to transport the Civic Chairman to evening engagements. The District Council is one of a small number of Councils to retain a vehicle for such use. The vehicle, purchased on the 13th October 2013 is a modest small SUV which is used for operational purposes particularly to benefit from its all-wheel drive capabilities in adverse weather. The vehicle benefits from a 7 year warranty, the expiry of which on the 30th October 2020 would appear to provide an ideal opportunity to review its provision support and to consider the financial and staffing implications of any future action.

3. RISK ASSESSMENT

3.1 Legal

The legal considerations on the use of an allowance are set out in the Protocol. The office of Civic Chairman is a discretionary role established by the District Council without any formal decision making powers. The legal risk is therefore low.

3.2 Financial

The revenue budget for 2019/20 includes £3,200 for the Chairman's Allowance, £950 for the Vice Chairman's Allowance, £900 for fuel and other civic car running costs and £2,090 for the civic car driver. The time spent by other staff is not separately recorded. The capital programme includes £20,000 for a replacement civic car.

The financial risks associated with this report are assessed as low.

4. OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

5. CONTACT INFORMATION

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6. BACKGROUND PAPERS

None

7. ATTACHMENTS

Appendix 1 - Protocol



Protocol on role of the Civic Chairman of the District Council and use of the Civic Allowance

Revised July 2019

1. Introduction

1.1 Role and Duties of the Civic Chairman

There are three main important roles for the Civic Chairman:

(i) As a symbol of the authority

To be the Council's 'ambassador' and to represent the District Council at events throughout the District

(ii) As a symbol of open society

- To promote inclusiveness and equality and ensure that all events promoted by the Chairman are open to all
- To promote ethical trade and be the District Council's figurehead as a Fair Trade authority
- To take an active lead in promoting environmental awareness by hosting an annual event to recognise individual and community group actions
- **To foster links with local schools to encourage participation in democracy by young people**

(iii) As an expression of social cohesion

- To act as the link between the Council and the various community bodies and organisations within the Derbyshire Dales

An understanding of these roles may act as a guide when deciding upon which invitations to accept or decline, and on the legitimacy of expenditure.

2. Use of the 'Civic Allowance'

"A principal Council may pay the Chairman for the purpose of enabling him to meet the expenses of his office, such Allowances as the Council thinks reasonable".

Section 3(5) of the Local Government Act 1972

In recognition of the important representative role performed by the Chairman of the District of Derbyshire Dales and the Deputy Chairman, the Council makes provision in its budget for expenses.

Separate bank accounts operate for the Chairman and Deputy, and the civic allowance amounts are paid into these accounts. The Chairman and Deputy are able to draw cheques on their accounts by arrangement with the Head of Resources.

The law does not stipulate the type or category of expenditure for which the allowance may be used, except that it is for meeting the "expenses of office". However the allowance is

commonly described as “recompense of the expenses in maintaining the dignity of the office”. It is therefore essential that each Chairman should account for the use of the allowance to ensure that it is used properly.

Whilst there cannot be a universally accepted list of items “acceptable” for purchase out of the allowance, some of the more general items would include:

- Clothing
- Donations to charities
- Collections
- Purchase of raffle tickets, flags, poppies etc
- Sending flowers
- One-off events held by the Chairman

3. Events

Priority will be given to invitations where the Chairman may be seen to promote the interests of the District of Derbyshire Dales. Except in exceptional circumstances only invitations within the District may be accepted.

The Civic Chairman may choose the style of events during his/her year of office as the District Council’s ambassador. The style of event is for the Chairman to decide working within the overall principles of this Code and ensuring that the agreed role of the Civic Chairman is not compromised. For example, events must be seen to be promoting inclusiveness and equality and avoid the appearance that public money is being spent purely on hospitality. Any events involving any form of hospitality should be carefully thought through and be self-financing through the sale of tickets wherever practicable. Modest hospitality e.g. in the form of tea/coffee refreshments may be financed through the civic allowance.

3.1 Charitable Events

It is not compulsory for the Chairman to seek to raise funds for charity, although many do. Being associated with a named charity is often enough without the need to actively seek to raise funds

It must be borne in mind however that a lot of effort is usually spent in organising charitable events, whether it be a simple raffle or a large scale event. Whilst officers of the Council may be called upon to help, there is a balance where their time may be better utilised elsewhere.

Permission must also be sought from charities concerned. Permission must also be sought for the reproduction of logos and enquiries raised on any particular clause within the charity’s registration details that the Council must be made aware of.

The Head of Resources will prepare suitable arrangements for accounting for all charitable funds raised, and expenses offset against them.

3.2 Civic Car

The civic car is available to take the Chairman (or Deputy if he/she is representing the Council in the Chairman’s absence) to evening civic functions. A common sense approach is called for however when functions are within an easy distance of the Chairman’s home. The car used for civic purposes also doubles as a vehicle for used for operational

purposes. In the event that the vehicle is required for dual purposes, operational need will take precedence. In such circumstances it is recommended that the Chairman uses his/her own transport or books a taxi. Those transport costs can then be re-imbursed from the civic allowance.

The number of invitations accepted during the year and time spent 'on duty' by the driver impacts upon the budget for the civic car. The Head of Corporate Services manages this budget and will advise on the status of the budget at regular intervals. The budget may not be over-spent.

3.3 Accounting arrangements

The two civic allowances are not paid via payroll with appropriate tax and NI deduction. Receipts are therefore required to support incurred expenditure. When it is impracticable to obtain receipts for certain expenditure, a record should be kept by the Chairman/Deputy, of the amount and purpose. i.e. donations, collections, raffle tickets, purchase of raffle prizes.

A simple statement will be prepared at the conclusion of the Civic Year in which the Chairman and Deputy declare their spending for the year. This information will be made available to the public.

At the end of the Civic Year, any balance on the two accounts will be cleared as follows;

Deputy Chairman's account, cheque drawn and paid into the Council's general account as an underspend

Chairman's account, cheque drawn and paid into the Council's general account as an underspend.