



## North Hykeham Town Council Non-Councillor Members Policy

**This policy applies to non-councillor members of North Hykeham Town Council (NHTC) undertaking work/duties on behalf of, but not directly employed by, the Town Council.**

### 1. Policy Statement

Non-councillor members are volunteers who play a crucial role within NHTC in helping us to provide services and support to the community and NHTC wants to make sure all non-councillor members have a safe, rewarding and enjoyable experience. This policy reflects NHTC's commitment to supporting the role of non-councillor member and sets out a framework of procedures and best practice, which NHTC will endeavour to follow when appointing and working with non-councillor members, to ensure that both non-councillor members' and NHTC's expectations are met. NHTC wants to ensure that there are good working relationships between councillors, paid staff, volunteers, and non-councillor members and that non-councillor members are well supported:

- I. NHTC's role is to encourage non-councillor membership to its committees, and therefore wants to take a leading role in the involvement of residents and other interested parties to help deliver the Council's services.
- II. NHTC needs people from all walks of life and all communities, who can bring their different skills and experiences to the work of the Council.
- III. Non-councillor members bring a different perspective to the organisation, often reflecting the views of the local community.
- IV. Non-councillor members can also help to extend the services that NHTC is able to offer.
- V. The maximum number of non-councillor members is limited, per committee, to 5

### 2. Who is a Non-Councillor member?

A Non-councillor member is any individual who is appointed to council committees and sub-committees which discharge the functions of the council, other than a committee for regulating and controlling the finance of NHTC. Non-councillors may also undertake unpaid activities on behalf of NHTC of their own free choice to give their time, energy, skills, and expertise to support NHTC in providing its services.

Non-councillor members may be involved in short or long-term activities or as a one off. Typical activities may include:

- I. Supporting fundraising or awareness raising events
- II. Involvement in direct delivery of our services, events and projects

Non-council members must be representatives of organisations (institutions, agencies, or partners) recognised by NHTC. No more than 1 representative can sit on a committee at any one time, although that organisation can send a different representative if it wishes (by notifying the clerk of that committee in advance). Only 1 vote is permitted per organisation; if more than 1 representative from an organisation is in attendance at a committee meeting only 1 vote is permitted to be cast by that organisation.

### 3. **Roles and Responsibilities**

By virtue of section 13 (1) and (7) of the Local Government and Housing Act 1989 (“the 1989 Act”), non-councillor members of committees and sub-committees do not have voting rights. There are five important exceptions to this rule:

- I. Sections 13 (3) and (4)(e) of the 1989 Act confirm that non-councillor members of advisory committees and sub-committees have voting rights.
- II. Regulation 3 of The Parish and Community Councils (Committees) Regulations 1990 confirms that non-councillor members of committees and sub-committees have voting rights in respect of:
  - a. management of land owned or occupied by the council.
  - b. the functions of the council as a harbour authority (as defined in section 57(1) of the Harbours Act 1964).
  - c. function under section 144 of the 1972 Act relating to the promotion of tourism, and
  - d. any function under section 145 of the 1972 Act relating to the Council’s management of a festival/event.

The term “management” does not include making decisions about the amount of money which may be spent by the council in a financial year in respect of land or a festival.

Non-councillor members can expect to:

- I. Have clear information about what is and is not expected of them.
- II. Receive adequate support and training.
- III. Be insured and to volunteer in a safe environment.
- IV. Be treated with respect and in a non-discriminatory manner.
- V. May receive reimbursement for reasonable expenses which would be agreed in advance.
- VI. Have opportunities for personal development.
- VII. Be recognised and appreciated.
- VIII. Be able to say ‘no’ to anything which they consider to be unrealistic or unreasonable.
- IX. Know what to do if something goes wrong.

NHTC expects non-councillor members to:

- Be reliable, open and honest.
- Uphold NHTC’s values and comply with its policies, procedures and Code of Conduct
- Make the most of opportunities given, e.g., for training.
- Contribute positively to the aims of the Council and avoid bringing the Council into disrepute.
- Carry out any specified tasks within agreed guidelines.

### 4. **Equality and Diversity**

NHTC is committed to the Equality Act 2010 and building a diverse organisation that is responsive to the needs of the community of North Hykeham and to the Council’s stakeholders. It is committed to equal opportunities at all stages of recruitment, selection and volunteering. Where it is reasonable to do so, in accordance with the Act, NHTC will be flexible with the tasks within role descriptions.

### 5. **Recruitment**

Appointment of a non-councillor member will be in accordance with Section 102(3) of the Local Government Act 1972. Recruitment will involve a standard application form and informal interview with Councillors at the appropriate committee or sub-committee’s

meeting.

Recruitment of non-councillor members for NHTC will be supported by the Town Clerk. Opportunities will be advertised on our website, through signposting sessions, and via social media. All enquiries will be responded to within 7 days. Where applicants are not able to be placed onto their preferred committee or sub-committee, they will be given feedback and the opportunity to discuss other possible roles with NHTC.

## 6. **Induction and Training**

To help ensure that non-councillor members are appropriately equipped for their role, each non-councillor member must undergo the appropriate induction and training process prior to commencing their role, alongside continuous training, where appropriate, whilst volunteering with NHTC. As a minimum, non-councillors will receive an induction which will include:

1. An introduction to councillors, other non-councillor members and staff members
2. A tour of NHTC's premises with particular attention to the location of exits and the assembly point.
3. Copies of NHTC policies in Health and Safety, Equality and Diversity, Confidentiality, and Safeguarding
4. Terms of Reference for the relevant committees and/or sub-committees
5. Health and Safety procedures including verbal instruction regarding the Fire Evacuation Procedure
6. Housekeeping e.g., use of NHTC kitchens, location of toilets

## 7. **Support**

The Town Clerk, Deputy Clerk and Assistant Clerk will be the main contacts and provide support/legal guidance to each non-councillor member volunteer. Induction training will be provided by the Town Clerk or Deputy Clerk and will be supported by the Assistant Clerk where appropriate.

Councillors on specific committees and sub-committees may also support non-councillor members.

Appendix 1 to this policy outlines the legal procedures that committees and sub-committees adhere to, including relevant extracts from NHTC's Standing Orders as to how council meetings are conducted and the expected behaviours of Councillors, which non-councillor members must also adhere to.

## 8. **Health and Safety**

Non-councillor members must take reasonable care of themselves and others while volunteering for NHTC and follow any health and safety advice and instruction given for their role. Non-councillor members should co-operate with NHTC on health and safety matters, and immediately report accidents/incidents (including near misses – accidents/incidents that may have led to injury). Non-councillor members should not intentionally or recklessly interfere with or misuse anything provided in the interests of health, safety and welfare.

NHTC will ensure that all non-councillor members are provided with the appropriate information, supervision and training required to enable them to complete voluntary work safely. This includes providing suitable systems and procedures and guidance as outlined in The Health and Safety Policy.

9. **Insurance**

NHTC provides Employers Liability, Public Liability and Professional Indemnity cover for all volunteers whilst working on NHTC activities, which will cover non-councillor members. NHTC does not provide motor insurance cover. The insurance will not cover unauthorised actions.

10. **Data Protection and Confidentiality**

NHTC will protect non-councillor information in accordance with the relevant data protection legislation including the General Data Protection Regulation (GDPR). Data will be held securely and confidentially and will only be accessed by authorised individuals. Please see our Privacy Policy on the website for further information about how we collect, manage and use the personal data of our non-councillor members. We will not pass information on without permission.

We expect all non-councillors to comply with the Council's Data Protection Policy and associated policies. Whilst working with NHTC, non-councillor members may become aware of confidential information about the Council, Councillors, its staff, and third parties. All non-councillors are required to maintain confidentiality and should not disclose the Council's information during their time as a non-councillor member or any time afterwards.

All non-councillor members are bound by the same requirements for confidentiality as Councillors, as laid down in any NHTC policy or by verbal instruction from the Town Clerk. Breach of confidentiality is taken very seriously and may result in NHTC asking the non-councillor member to leave.

## **Appendix 1 to Non-councillor members' Policy**

### Exerts from Standing Orders for North Hykeham Town Council business.

#### **1. RULES OF DEBATE AT MEETINGS**

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting.
- h A councillor member may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman of the meeting.
- j Subject to standing order 1(k), only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- k One or more amendments may be discussed together if the chairman of the meeting considers this expedient, but each amendment shall be voted upon separately.
- l A councillor member may not move more than one amendment to an original or substantive motion.
- m The mover of an amendment has no right of reply at the end of debate on it.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o Unless permitted by the chairman of the meeting, a councillor member may speak once in the debate on a motion except:
  - i. to speak on an amendment moved by another councillor member.
  - ii. to move or speak on another amendment if the motion has been amended since he last spoke.
  - iii. to make a point of order
  - iv. to give a personal explanation; or
  - v. to exercise a right of reply.
- p During the debate on a motion, a councillor member may interrupt only on a point of order or a personal explanation and the councillor member who was interrupted shall stop speaking. A councillor member raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- q A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
  - i. to amend the motion
  - ii. to proceed to the next business
  - iii. to adjourn the debate

- iv. to put the motion to a vote
  - v. to ask a person to be no longer heard or to leave the meeting.
  - vi. to refer a motion to a committee or sub-committee for consideration
  - vii. to exclude the public and press
  - viii. to adjourn the meeting; or
  - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- t Excluding motions moved under Standing Order 1(r), the contributions or speeches by a non-councillor member shall relate only to the motion under discussion and shall not exceed three minutes without the consent of the chairman of the meeting.

## 2. DISORDERLY CONDUCT AT MEETINGS

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor member or the chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(b) is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

## 3. MEETINGS GENERALLY

Full Council meetings ●

Committee meetings ●

Sub-committee meetings ●

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.**
- d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e In addition to the Annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council agrees.
- f Meetings of the Council shall normally be held at the Civic Offices, Fen Lane, North Hykeham, LN6 8UZ

- g Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- h The period of time designated for public participation prior to the commencement of the meeting in accordance with Standing Order 3(g) shall not exceed 15 minutes unless directed by the chairman of the meeting.
- i Subject to standing order 3(h), a member of the public shall not speak for more than 10 minutes.
- j In accordance with standing order 3(g), a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- k A person shall raise his hand when requesting to speak and may sit when speaking.
- l A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- m Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
- n **Subject to standing order 3(o), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
- o **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- p **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- q **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Mayor may in his absence be done by, to or before the Deputy Mayor.**
- r **The Mayor, if present, shall preside at a meeting. If the Mayor is absent from a meeting, the Deputy Mayor if present, shall preside. If both the Mayor and the Deputy Mayor are absent from a meeting, a councillor member as chosen by the councillor members present at the meeting shall preside at the meeting.**
- s If the Mayor and Deputy Mayor are not in attendance, the person presiding at a meeting may exercise all the powers and duties of the Mayor in relation to the conduct of the meeting.
- t **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillor members and non-councillor members with voting rights present and voting.**
- u **The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.**  
*See standing orders 5(h) and (i) for the different rules that apply in the election of the Mayor at the annual meeting of the Council.*
- v **Unless standing orders provide otherwise, voting shall be by a show of**

**hands. At the request of a councillor member, the voting on any question shall be recorded so as to show whether each councillor member present and voting gave his vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.

- w The minutes of a meeting shall include an accurate record of the following:
  - i. the time and place of the meeting
  - ii. the names of councillor members who are present and the names of councillor members who are absent.
  - iii. interests that have been declared by councillor members and non-councillor members with voting rights.
  - iv. the grant of dispensations (if any) to councillor members and non-councillor members with voting rights
  - v. whether a councillor member or non-councillor member with voting rights left the meeting when matters that they held interests in were being considered
  - vi. if there was a public participation session; and
  - vii. the resolutions made.
- x **A councillor member with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**
- y **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**

*See standing order 4d(viii) for the quorum of a committee or sub-committee meeting.*
- z **If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.**
- aa A meeting shall not exceed a period of 2 hours unless a vote to extend the meeting is passed by those present for a maximum of 30 minutes.

#### **4. COMMITTEES AND SUB-COMMITTEES**

- a **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b **The members of a committee may include non-councillor members unless it is a committee which regulates and controls the finances of the Council.**
- c **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillor members.**
- d The Council may appoint statutory committees or other committees as may be necessary, and:
  - i. shall determine their terms of reference.
  - ii. shall initially determine the number and time of the meetings of a statutory committee up until the date of the next annual meeting of the Council
  - iii. shall permit a committee to adjust the number and time of its meetings as necessary
  - iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee
  - v. may, subject to standing orders 4(b) and (c), determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members



- at a meeting of a committee. A substitute member must be nominated and confirmed by the members of the committee when they confirm their absence from the meeting to the Proper Officer, at least 5 days before the meeting
- vi. every statutory committee shall, at its first meeting before proceeding to any other business, elect a Chairman and Vice Chairman who shall hold office until the next Annual Town Council meeting of the Council
  - vii. shall permit a sub-committee to appoint its own chairman at the first meeting of the sub-committee, who shall hold office until the next Annual Town Council meeting of the Council
  - viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three
  - ix. shall determine if the public may participate at a meeting of a committee
  - x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee
  - xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
  - xii. may dissolve a committee or a sub-committee.
- e Every Committee may appoint Working Groups for purposes to be specified by the Committee. A Working Group may co-opt others (see Co-Option Policy) to help it to progress business to a point where a report is brought to Council for a decision. A Working Group cannot make decisions that are binding upon the Council.
- f A Committee wishing to co-opt a non-councillor member must receive an application form which they review and pass a recommendation to Town Council to approve. There is no restriction regarding the home address of a co-opted non-councillor member.

#### Additional Notes:

1. A non-councillor member must make any Declaration of Interest in the same way as a Councillor is required to, in the interests of openness and transparency (Standing Order No.3 (x) above). Declarable Interests, which may be affected by a decision, are defined for non-councillor members as:
  - a) Pecuniary Interest (PI) – A financial interest, such as ownership of property, or employment or business interests
  - b) Non-Pecuniary Interest (NPI) – An interest such as memberships in organisations, personal relationships, or gifts or hospitality received, or one that affects the finances or wellbeing of yourself, a relative, or a close associate that may be affected by a decision
- 2 A non-councillor member can request an item be put onto a committee meeting’s agenda, but this must be done no later than 1 week prior to the committee meeting date. This is to allow the committee’s clerk to fulfil the legal requirement of Standing Order 3(b) (above). Any supporting documentation for this agenda item must also be received no later than 1 week prior to the committee meeting date.