

5.5 Civic Protocol

The Chairman of the Council

- 5.5.1 The person elected as the Chairman¹ of the Council discharges the statutory responsibilities of the role as well as those set out within the Constitution, such as chairing meetings of the Council. They are the First Citizen of the District of Harborough. The bulk of their role involves representing the Council and the whole of the District to individuals, employers, voluntary organisations and other bodies, mainly within the District, and further afield as appropriate.
- 5.5.2 The Chairman is accountable to the Council. They represent the Council and its citizens in an ambassadorial role, supporting and encouraging the interests of all sections of the community. The Chairman of the Council actively promotes the District.
- 5.5.3 The Chairman of the Council will have a Vice Chairman², who supports the Chairman in discharging the duties and responsibilities of the role.
- 5.5.4 All civic invitations should be sent to the Chairman's Office at the Council, howsoever received.

The Vice Chairman

- 5.5.5 The person elected as the Vice Chairman of the Council will deputise for the Chairman when the Chairman is unable to fulfil an engagement and support the Chairman at major civic events organised by the Council.
- 5.5.6 The Vice Chairman may not fulfil a civic engagement in their own right. All requests to attend a civic engagement are for the Chairman only, even if addressed to the Vice-Chairman and or forwarded direct to their home address. If the Chairman cannot attend an event, the invitation should generally be offered to the Vice-Chairman. This may not always be automatic or desirable but should be discussed with the Chairman.

Duties and Responsibilities

- 5.5.7 The Chairman of the Council will:
- 5.5.7.1 Chair meetings of Council in accordance with legislation and the Harborough District Council Constitution;

¹ In accordance with the provisions of the Local Government Act 1972

² Section 5 of the Local Government Act 1972

- 5.5.7.2 Host annual civic events such as the Annual Council Meeting, the Civic Service, the Civic Dinner and such other civic events as may be arranged;
- 5.5.7.3 Support and encourage the District's twinning links and, by invitation, attend visits to those towns;
- 5.5.7.4 Support and encourage the interests of the Council and assist with the launch and promotion of Council schemes and initiatives;
- 5.5.7.5 Support and encourage all sections of the community and, by invitation, attend events, meetings and visits organised by them;
- 5.5.7.6 Host receptions for local groups and organisations;
- 5.5.7.7 Recognise achievements by local groups, organisations and residents of the District as appropriate;
- 5.5.7.8 Greet royal visitors and distinguished guests to the District as appropriate;
- 5.5.7.9 Carry out the duties of the post fairly and without discrimination and in accordance with the aims and objectives of the Council.

Election of the Chairman

- 5.5.8 Any candidate for the post of Chairman of Harborough District Council must be a Member of the Council³.
- 5.5.9 The annual election of the Chairman shall be conducted as set out in the Council Procedure Rules at Part 4 of the Constitution.
- 5.5.10 The outgoing Chairman will, if present, preside at the meeting to elect their successor and continue in post until their successor has been chosen and has made a valid declaration of acceptance of office.
- 5.5.11 The Vice Chairman will also be appointed from amongst the Council's members and will hold office until immediately after the election of a Chairman at the next Annual Meeting of the Council.
- 5.5.12 The Council Procedure Rules provide that a Chairman of a meeting has a casting vote and this includes upon the equality of votes for the election of the new Chairman (in addition to any other vote they may have cast). However, a candidate for Chairman should not preside at the meeting or exercise the casting vote.
- 5.5.13 Immediately after the result of the election is announced, the successful candidate should publicly make their formal declaration of acceptance of office⁴.

³ Section 3(1) of the Local Government Act 1972

⁴ Section 83 of the Local Government Act 1972

- 5.5.14 The outgoing Chairman will invest the incoming Chairman with the badge of office. The incoming Chairman will present the outgoing Chairman with their past Chairman's badge.

Non-Political Role

- 5.5.15 Other than undertaking their ward councillor role, the Council has decided that the Chairman's role should be primarily civic and ceremonial in nature⁵.
- 5.5.16 The Chairman of the council is a neutral office, and the office-holder is therefore expected to behave impartially and protect the rights of Councillors to participate in debate.
- 5.5.17 It is understood that the Chairman is an elected member and as such has certain political beliefs. However, the manifestation of these beliefs should be suspended during the term of office as Chairman to prevent the office of the Chairman being brought into disrepute.

Inaugural Committees

- 5.5.18 Either the Chairman or Vice Chairman of Council is required to attend the first meeting of each committee at the start of a new municipal year to facilitate the process of electing a Chairman for the committees, including exercising the casting vote where necessary.
- 5.5.19 The Chairman of the Council may observe any meetings in accordance with the Access to Information Rules at Part 4 of this constitution.

Legal Precedence of the Chairman

- 5.5.20 The Chairman has precedence in the district but not so as to prejudicially affect His Majesty's Royal prerogative⁶.
- 5.5.21 The Chairman must therefore concede precedence to the Lord-Lieutenant of Leicestershire if the Lord-Lieutenant is attending a function in their official capacity representing the King.
- 5.5.22 Guidance on the protocols for royal visits can be obtained from the office of the Lord-Lieutenant but the order of introduction to a royal visitor will normally be:
- 5.5.22.1 Lord Lieutenant's spouse;
- 5.5.22.2 High Sheriff and spouse;

⁵ Minute number 1039/90-91

⁶ Section 3(4) of the Local Government Act 1972

- 5.5.22.3 Chairman of Harborough District Council and spouse;
- 5.5.22.4 Chief Executive, Harborough District Council and spouse.
- 5.5.23 For any event other than a royal visit, the High Sheriff of the County does not take precedence over the Chairman of the Council when attending District occasions⁷.
- 5.5.24 The Chairman will take precedence in the District over the Town Mayor of Lutterworth unless it is predominantly a Town occasion to which the Chairman has been invited as a guest.
- 5.5.25 The Chairman's consort or escort does not have any legal status but customarily takes precedence immediately after the Chairman.
- 5.5.26 The Chairman enjoys precedence only in the district of Harborough. If accepting an invitation in another authority's area, permission from the Chairman's secretary of that area should be obtained if insignia is to be worn. This does not apply to formal invitations received from other authorities to attend civic functions.
- 5.5.27 In the absence of the Chairman, the Vice-Chairman is entitled to the Chairman's right of precedence within the District. Invitations to a function therefore, should not be sent to (or solicited by) the Vice-Chairman (or for that matter by the Chairman). The Vice-Chairman has no special precedence when not deputising for the Chairman.

Insignia

- 5.5.28 The insignia is the outward sign of the civic office held. The Chairman, Vice Chairman and their consorts have different insignia which reflect their roles. The Vice-Chairman does not wear the Chairman's civic insignia when deputising for them but rather will wear the Vice-Chairman's badge of office.
- 5.5.29 Insignia is worn at all special and public functions connected with the business of the Council. This includes, but is not limited to:
 - 5.5.29.1 when royalty is present;
 - 5.5.29.2 all civic occasions, for example the annual Civic Service;
 - 5.5.29.3 non - civic functions within the district to which the Chairman is invited as First Citizen;
 - 5.5.29.4 Memorial or Thanksgiving Services.

⁷ Under a Royal Warrant of 1904 (as amplified by a Home Office Memorandum of 1928),

- 5.5.30 Insignia may be worn at out-of-District functions if requested by the host authority or otherwise agreed with the secretary to the Chairman/Mayor of the Borough/District where the function is to be held.
- 5.5.31 Insignia should not be worn at funerals.
- 5.5.32 The Chairman is responsible for the insignia and Consort's Badge during the year of office in accordance with the terms of the Council's insurance policy. The Chairman will usually retain the insignia throughout the year of office, However, arrangements may be made, such as when the Chairman is on holiday, for the insignia to be left with the Chief Executive for safe keeping in the strong room.

Finances

Chairman's Allowance

- 5.5.33 The Chairman is entitled to a special responsibility allowance to meet the incidental and day-to-day expenses of the office and any items not covered by the Civic Expenses budget. This allowance is paid in accordance with the Members' Allowance Scheme (see further Part 6 of the Constitution).
- 5.5.34 The Chairman cannot initiate any expenditure on the Council's behalf other than expenditure which is to be met through the Chairman's allowance.

Vice Chairman's Allowance

- 5.5.35 The Vice Chairman is entitled to a special responsibility allowance to meet the incidental and day-to-day expenses of the office and any items not covered by the Civic Expenses budget. This allowance is paid in accordance with the Members' Allowance Scheme (see further Part 6 of the Constitution).

Travelling Allowance

- 5.5.36 The Chairman's Office has a budget for travel which covers transport costs of the Chairman or Vice Chairman attending a civic engagement such as civic services, dinners or lunches. The use of the services of a chauffeur for any other function shall be judged on an individual basis taking into account the distance to be travelled and type of event.
- 5.5.37 The Chairman and Vice Chairman can claim reimbursement of travel costs when using their own vehicles in accordance with the Members Allowance Scheme.

Civic Expense Budget

- 5.5.38 The Civic Expense Budget is provided to cover the cost of civic functions and expenses. The budget holder will comply with the Financial, Procurement and Contract Rules (Part 4 of the Constitution) when managing this budget.

Receipt of Gifts

- 5.5.39 In the course of the duties of being Chairman, it is likely that gifts will be offered either as a personal present or for the Council in general. Receiving gifts should be treated carefully - most gifts are made innocently and without intention to influence therefore care should be taken not to offend by refusing.
- 5.5.40 Consumable gifts can be treated as being for the Chairman or Vice Chairman personally, but non- consumable gifts should be treated as gifts to the District. A display case has been placed in the reception of the Council's office where gifts received by the Chairman are displayed for the public to see.
- 5.5.41 The Chairman and Vice Chairman are not exempt from compliance with the Councillor Code of Conduct and must declare all gifts and hospitality (see further the Councillor Code of Conduct at Part 5 of the Constitution).

The Civic Year

Chaplain

- 5.5.42 The Chairman may appoint a Chaplain for their year of office. The Chaplain may:
- 5.5.42.1 say prayers (or make arrangements for prayers to be said) prior to the commencement of each meeting of the full Council;
- 5.5.42.2 conduct the civic service;
- 5.5.42.3 offer such support as the Chairman may request for other civic events.

Chairman's Charity

- 5.5.43 The Chairman may wish to nominate one or more charities at the beginning of the civic year who will be the beneficiary of the Chairman's charity fundraising activities.
- 5.5.44 The Chairman is expected to organise their own fundraising activities and events to benefit their chosen charity. Donations can come from a variety of sources such as church collections, donations from local people and businesses and the proceeds of any events organised by the Chairman.

- 5.5.45 All monetary donations shall be paid into a bank account known as 'Chairman's Charity, Harborough District Council', with a cheque for the total of funds raised during the year of office usually presented to the nominated charity(s) at the end of the civic year.

Civic Functions

- 5.5.46 The main civic functions held during the year are:
- 5.5.46.1 Civic Service – to celebrate the Chairman's appointment, usually early in the term of office;
- 5.5.46.2 Civic Dinner - for civic heads of the other authorities in Leicestershire and to reciprocate hospitality received;
- 5.5.46.3 Remembrance Day Service - the Council is usually invited by the British Legion to be represented at the November Remembrance Day Services in Market Harborough and Lutterworth. Since 1974, the Chairman has attended one of these services, and the Vice- Chairman the other. The Council meets the cost of the wreaths to be laid on the Council's behalf.
- 5.5.47 The Chairman may hold further civic events, subject to funds being available in the Civic Expense Budget.
- 5.5.48 There is a separate budget for civic receptions (e.g. for visiting delegations), the use of which must be agreed in advance by the Chief Executive.

Civic Engagements

- 5.5.49 The Chairman will agree with the Vice-Chairman who shall attend which engagement provided. Where an invitation is declined by the Chairman it is inappropriate to suggest that the Vice-Chairman should attend in lieu, unless there is a clear indication from the person inviting that the invitation should be so extended.
- 5.5.50 Care should be taken in accepting invitations involving commercial undertakings. The contribution that the organisation makes to the district should be assessed prior to deciding whether to accept. Any function or invitation which could give reasonable members of the public cause to suspect improper conduct should be refused, with each invitation being judged on its merits and recorded in accordance with the Councillor Code of Conduct.
- 5.5.51 Invitations from a business could be appropriate where, for example:
- 5.5.51.1 the Council has given some sort of grant aid;
- 5.5.51.2 the business has been involved in a Council initiative,;

- 5.5.51.3 the business is part of a wider representative group or forum; (e.g. Chamber of Trade), perhaps leading a trade delegation, either abroad or in this country, promoting the District generally,
- 5.5.51.4 to mark the conclusion of a contract the Council has let to a particular business, for example, a housing refurbishment scheme; or
- 5.5.51.5 where a business has been involved in some sort of charitable work.
- 5.5.52 There should be no direct association with a business where there is no obvious connection or reasonable grounds for involvement of the Chairman or the Council.
- 5.5.53 The Chairman should avoid accepting a Chairmanship or Presidency of a voluntary organisation during the year of office or endorsing any financial appeal, and discuss the request or invitation with the Chief Executive before responding.

Ceremonial Events

- 5.5.54 The Chairman of the Council, or in their absence the Vice-Chairman, will lead council ceremonial events of particular significance or which are not specifically associated with a particular committee.
- 5.5.55 Subject to the paragraph above, the Leader of the Cabinet or Chairmen of Committees or, where they are not available, Deputy Leader or Vice-Chairmen are the appropriate representatives for ceremonial events within the scope of their meeting's functions. If no such person is available, then any other councillor may be nominated by the Chairman or Vice-Chairman.
- 5.5.56 Local councillors should always be informed of, and, where possible, invited to ceremonial events taking place within their own parishes / towns, as should County and Parish Councillors, as appropriate.

Informal Meetings of Members

- 5.5.57 The Chairman may arrange informal member meetings throughout the year, informing the Chief Executive and group Leaders of any matters of note that arise at such meetings.

Public, Councillor and Staff Relations

- 5.5.58 Public relations and media queries should be referred to the Communication Team to coordinate a response.
- 5.5.59 When the Chairman acts as spokesperson for the Council they will give the Council's viewpoint (which may not necessarily coincide with their own) and will comply with the Code of Recommended Practice on Local

Authority Publicity⁸. It is not unreasonable to decline to make instant comment. This gives the opportunity to think through the key points to be put across and also enables facts to be checked. However, it is advisable for the Chairman to avoid being drawn into issues between citizens, businesses and the Council.

- 5.5.60 If a councillor raises criticism of individual officers with the Chairman, they should be referred to the Councillor and Employee Relations Protocol in this Part 5 of the constitution.
- 5.5.61 During each Council year there may be occasions when councillors are absent from meetings through illness or otherwise. Apologies for absence are often received by the Chief Executive and the Chairman of Council is kept in touch where the officers are aware that a councillor might be ill. It is useful if the Vice-Chairman, on the Chairman's behalf, maintains contact when any councillor is indisposed so that the Chairman can be primed, where necessary, either to write, visit or make reference as appropriate under the Chairman's announcements to Council.

End of Term Arrangements

- 5.5.62 Before the Annual Meeting at the end of their year of office, the Chairman should try to secure arrangements for the nomination of a successor who will, according to the convention established in 1974, be the retiring Vice-Chairman (subject, of course, to the Vice-Chairman continuing to hold office as a Member of the Council). However the Council may elect any Councillor it so wishes to the role of Chairman at the Annual Meeting.
- 5.5.63 Towards the end of the Vice-Chairman's term, as Chairman Elect, it is advisable to give thought to provisional arrangements for the Civic Service as to the date, venue and who they intend to appoint as Chaplain.
- 5.5.64 It is the Vice-Chairman's responsibility to ensure that a councillor is prepared to propose a vote of thanks to the retiring Chairman. The vote of thanks is made on behalf of the Council for the services rendered by the First Citizen. The Vice-Chairman could undertake this task, but it is generally preferred that the vote of thanks comes from the body of the meeting rather than the 'dais'. No seconder is needed as the vote is not 'put to the meeting'.

8

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/5670/1878324.pdf