

# **Local Government Association**

## **Constitution**

## **Standing Orders**

## **Political Conventions**

Adopted by the LGA's Shadow General Assembly on 17 December 1996, and amended by the LGA General Assembly on 18 December 1997, 6 July 1999, 27 June 2000, 29 July 2004 by the LGA Executive (under delegated authority of the General Assembly on 6 July 2004), 12 December 2005, 14 December 2006, 12 December 2007, 1 July 2008, 6 July 2010, 26 June 2012, 2 July 2013, 23 January 2014, 8 July 2014 and 30 June 2015.

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**Commented [CH1]:** Panels no longer part of LGA governance arrangements

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## Part 1: Constitution of the Local Government Association

### 1. Constitution and Title

- 1.1 The name of the Association shall be the Local Government Association.
- 1.2 The Association shall consist of principal councils in England and Wales, the Common Council of the City of London, statutory combined fire and rescue authorities, national parks authorities, eligible town and parish councils and other public bodies as have desired to be and remain in membership.

### Full membership

- 1.3 The following bodies shall be eligible for full membership of the Association (referred to as "full member authorities"):-
  - 1.3.1 Principal councils in England and Wales.

### Corporate membership

- 1.4 The following bodies in Wales shall be eligible for corporate membership of the Association through the Welsh Local Government Association:
  - 1.4.1 Principal councils;
  - 1.4.2 Combined fire & rescue authorities;
  - 1.4.3 Police & Crime Commissioners; and
  - 1.4.4 Welsh national parks authorities.
- 1.5 English National Park Authorities shall be eligible for corporate membership of the Association through the English National Parks Authorities Association.

### Associate membership

- 1.6 The following bodies shall be eligible for associate membership of the Association:

### Voting

- 1.6.1 Combined fire & rescue authorities;
- 1.6.2 Police & Crime Commissioners; and
- 1.6.3 National parks authorities; and  
Integrated transport authorities.

**Commented [CH2]:** ITA membership scheme no longer exists

### Non-voting

- 1.6.4 Town & parish councils that meet specified criteria.
- 1.7 The Association may invite into membership other local, regional and national public government bodies, on such terms as shall be determined by the LGA  
Executive Leadership Board.

**Commented [CH3]:** To bring in line with Leadership Board responsibility to oversee membership.

## **2. Purpose, Objects and Power of the Association**

### **Purpose**

- 2.1 The purpose of the Association is to support, promote and improve local government in England & Wales.

### **Objects and Powers**

- 2.2 The objects and powers of the Association are:
- 2.2.1 To represent, wherever possible by consensus, the interests of member authorities in England and Wales to national governments, to Parliament, to political parties, to European and other international institutions and to other bodies, and to negotiate on behalf of local government.
  - 2.2.2 To formulate sound policies to support the improvement and development of local governance, effective management in local authorities and the enhancement of local democracy in England, Wales and elsewhere.
  - 2.2.3 To provide forums for discussion of matters of common concern to member authorities, and a means by which joint views may be formulated and expressed.
  - 2.2.4 To assist specific interest groupings of member authorities to express their particular views.
  - 2.2.5 To provide a full range of cost-effective services to member authorities in accordance with their wishes, including the dissemination of accurate, timely and relevant information.
  - 2.2.6 To promote the policies of the Association and to provide information on local government issues to the public and outside organisations.
  - 2.2.7 To endeavour to give councillors from different political groups the opportunity to contribute to the Association's work and to the development of policies which represent, as far as possible, consensus between the political groups and between groups of member authorities.
  - 2.2.8 To appoint councillors to the boards of the IDeA and Local Partnerships to ensure that those organisations' work and priorities reflect those of the membership of the Association.
  - 2.2.9 To support councillors in their role as democratically elected local representatives.
  - 2.2.10 To subscribe to, take, purchase or otherwise acquire, hold, sell, deal with and dispose of, place and underwrite shares, stock, bonds, debentures, debenture stocks, obligations or securities, and to establish and participate in corporate vehicles constituted or carrying on business in England and Wales.

2.2.11 To provide an indemnity in respect of potential personal liability incurred by any Officer or Member of the Association arising out of any action by them which is authorised by the Association.

2.2.12 To do anything that a natural person or legal corporation can lawfully do which is necessary, or intended to facilitate, or conducive or incidental to the discharge or achievement of the aims of the Association.

## Governance arrangements

### 3. General

3.1 The main governance structures of the LGA and the wider group are set out in Annex 1 to the Constitution.

3.2 The General Assembly shall determine the terms of reference, delegated powers, size and political composition of all the Association's governance structures, may make Standing Orders for the regulation of their proceedings and may delegate its functions to the Executive.

3.3 The political balance on each of the Association's governance structures shall be calculated with reference to the overall electorate represented by the councillors of each party, immediately after the last principal elections of the member authorities and in accordance with the following principles: -

Commented [CH4]: For clarification.

3.3.1 Only councils in full membership of the Association before the polls open on the day of the principal local elections shall be included in the political balance calculations;

3.3.2 To be included in the political balance calculations, councils joining the Association on or after 1 April of the membership year must have paid their subscriptions in full prior to the opening of the polls on the day of the principal local elections; and

3.3.3 A 50% weighting shall be applied for Welsh authorities in corporate membership.

3.4 Councillors serving on the LGA's member structures, or otherwise representing or undertaking business on behalf of the LGA, are required to operate in accordance with the member code of conduct of the local authority they are representing.

### 4. The General Assembly

4.1 There shall be a General Assembly of the Association.

4.2 The General Assembly will hold an Annual Meeting to elect the office holders of the Association set out in Article 7 of the Constitution.

4.3 Other meetings may be held as required and the Assembly shall deal with such other business as may be determined by the Executive Leadership Board.

Commented [CH5]: Leadership Board are responsible for agreeing the General Assembly agenda

4.4 The General Assembly may from time to time make standing orders for the regulation of its proceedings, and shall approve and issue a set of Conventions governing

relationships between the political parties in the conduct of the Association's business.

## 5. Membership of the General Assembly

- 5.1 Each local authority in full or corporate or voting associate membership of the Association shall be entitled to appoint one councillor to the General Assembly.
- 5.2 Where a member authority is entitled to more than one vote at the General Assembly under Article 6, it shall be entitled to appoint further councillors to a total equal to its number of votes or four, whichever is the lesser.
- 5.3 The names of councillors appointed to serve on the General Assembly shall be submitted in writing each year not less than eighteen working days in advance of the meeting, by the appropriate officer of that authority to the Chief Executive of the Association. In exceptional circumstances, names can be submitted after that deadline subject to agreement with the Chief Executive of the Association.
- 5.4 All those appointed to serve on the General Assembly of the Association, the Executive, or any of the governance structures of the Association, shall be elected members of authorities in membership of the Association.
- 5.5 The period of office of the Office Holders of the Association shall begin with effect from the Annual Meeting in each year and shall end immediately before the Annual Meeting in the following year, or with immediate effect if the individual ceases to be a councillor of a local authority, or if his/her authority ceases to be in membership of the Association.
- 5.6 The period of office of any councillor appointed to serve on any of the governance structures set out in **Annex 1** or on **Workforce Employer Bodies** shall begin on the date specified in the letter of appointment and shall cease with immediate effect if he/she ceases to be a councillor of a local authority or if his/her authority ceases to be in membership of the Association.

Commented [CH6]: For clarification

## 6. Voting at the General Assembly

- 6.1 Authorities in full membership of the Association shall be entitled to vote on all matters at the General Assembly as follows:
  - 6.1.1 In areas with both a county and district councils, each district council shall have one vote and the county council shall have votes equal to the number of district councils in its area.
  - 6.1.2 The total number of votes of unitary authorities shall represent the same proportion of the total votes of county and district councils, as the total population of unitary authorities represents the total population of county and district councils. Votes shall be allocated between individual unitary authorities on the basis of population bands determined by the Executive.
  - 6.1.3 The population for this purpose shall be as given in the latest figures published by the Registrar General before the convening of each Annual Meeting.

- 6.2 Authorities in voting associate membership shall be entitled to vote only as follows:
- 6.2.1 On the election of a Chair, Vice-Chair and Deputy Chairs under Article 7.5 and on questions of estimated expenditure and subscriptions under Articles 20.1 and 20.2 of the Constitution, each authority shall have one vote.
  - 6.2.2 On issues of direct relevance to the statutory duties and responsibilities of associate members of their class (as determined by the Chair of the meeting), each authority shall be entitled to the same number of votes as a unitary authority within their population band as determined under Article 6.1.
- 6.3 Welsh Authorities in corporate membership shall be entitled to vote only as follows:
- 6.3.1 On the election of Chair, Vice Chair and Deputy Chair under Article 7.5 and on questions of estimated expenditure and subscriptions under Articles 20.1 and 20.2, each authority will have one vote.
  - 6.3.2 On non-devolved matters directly relevant to their statutory duties and responsibilities, each authority shall be entitled to the same number of votes as a unitary authority within their population band as determined under Article 6.1.
  - 6.3.3 Welsh Authorities opting for full membership will have voting rights equivalent to that of a unitary authority within their population band on all matters.
- 6.4 Where the councillors from a member authority are entitled to more than one vote under Article 6.1, each councillor shall be entitled to cast votes at the General Assembly up to the number allocated to him or her, and notified to the Chief Executive of the Association not less than eighteen working days in advance of the meeting, by the appropriate officer of that authority. In exceptional circumstances allocations can be submitted after that deadline subject to agreement with the Chief Executive of the Association.
- 6.5 In the case of an equality of votes the Chair of the meeting shall have the casting vote in addition to any vote(s) he or she may be entitled to cast as a member of the General Assembly.
- 6.6 A councillor on the General Assembly may nominate another councillor of his or her authority to attend on his or her behalf and exercise his or her vote(s) provided that written notice is given to the Chief Executive of the Association before the start of the meeting by the Chief Executive or other appropriate officer of the member authority, or by the councillor originally nominated.
- 6.7 The quorum for General Assembly meetings shall be one-third of voting councillors appointed by authorities in full membership of the Association.



## 7. Positions of Office

### Presidents & Vice Presidents

- 7.1 A President of the Association shall be elected at the Annual Meeting in each year and shall be eligible for re-election.
- 7.2 Vice-Presidents shall be appointed annually by the leaders of the Association's political groups and be reported at the Annual Meeting of the Association.
- 7.3 The President and Vice-Presidents need not be councillors of member authorities and shall not have a vote.
- 7.4 The LGA President and Vice-Presidents are required to operate in accordance with the Code of Conduct for Members of Parliament/for Members of the House of Lords/for MEPs/for Welsh Assembly Members.

### Office Holders

- 7.5 The General Assembly shall, at the Annual Meeting of the Association each year, elect from amongst the councillors representing full member authorities the following Office Holders:
  - 7.5.1 1 chair;
  - 7.5.2 Vice-chairs; and
  - 7.5.3 Deputy chairs.
- 7.6 Each Office Holder shall be a representative of a political group of members of the General Assembly, whose share of the weighted electorate exceeds 5% of the total.
- 7.7 The largest group [at the point of calculating the political balance](#) shall appoint the chair of the Association.
- 7.8 The remaining Office Holders are appointed according to proportionality in line with Article 3.3. All groups shall have one vice chair and those entitled to additional Office Holder(s) shall also have a deputy chair(s).
- 7.9 The vice-chair nominated by the second largest group shall be the senior vice chair. The chair and vice-chairs of the Association shall also hold the equivalent offices in the Executive and the Leadership Board.

Commented [CH7]: For clarification

## 8. General Assembly Meetings and Procedure

- 8.1 At the Annual Meeting of the General Assembly, the President shall preside over the election of office holders and thereafter the Chair shall preside. At other meetings of the General Assembly, the Chair of the Association or in his/her absence a Vice Chair, or in their absence another person chosen by the meeting, shall preside.
- 8.2 Meetings of the General Assembly shall be held on such days and at such places as may be decided by the [Executive Leadership Board](#).

Commented [CH8]: In line with Leadership Board responsibilities

8.3 The LGA Chief Executive shall:

- 8.3.1 Not less than three months before the Annual Meeting, and not less than twenty-eight clear days before each other meeting, send to each authority in membership of the Association, and to their chief executive or clerk, a notice stating the date, time and place of the meeting; and
- 8.3.2 Not less than 10 working days before the Annual Meeting, or any other meeting, send to each councillor of the General Assembly, and publish on the LGA website, an agenda specifying the business to be transacted.

## 9. The LGA Executive

9.1 There shall be an Executive whose purpose is to provide strategic direction to the work of the Association, having regard to any advice from the Leadership Board referred to in Article 10.

9.2 The Executive shall comprise:

### Voting

- 9.2.1 The Office Holders of the Association;
- 9.2.2 The chairs of the LGA boards;
- 9.2.3 One representative of each of the regional groupings and of the Welsh LGA; and
- 9.2.4 Additional members to balance political proportionality.

### Non-voting

- 9.2.5 Representatives of the County Councils Network, District Councils Network and Special Interest Group of Municipal Authorities; and
- 9.2.6 Representatives of Local Partnerships.

9.3 The chair of the Association shall chair meetings of the LGA Executive.

## 10. The LGA Leadership Board

10.1 There shall be a Leadership Board, whose purpose is to direct the Association's activities and business, in accordance with the strategic priorities and direction set by the Executive and to report and make recommendations to the Executive on the Association's activities.

10.2 The LGA Leadership Board shall comprise the Office Holders of the LGA, as set out in Articles 7.5 – 7.9.

10.3 The Chair of the Association shall chair the Leadership Board.

10.4 Groups with only one vice-chair on the board shall be permitted to appoint a substitute to attend in the absence of the vice-chair.

## 11. Boards

- 11.1 There shall be Boards whose purpose is to develop, steer and oversee all policy and improvement activity, in line with the LGA priorities.
- 11.2 The political balance of each board may be maintained by the attendance of substitutes. In relation to the Executive, substitutes for chairs of boards from the same political party will be permitted. In the absence of the chair of a board, the vice chair will be permitted to attend to speak, but not vote, on items within that board's remit.
- 11.3 The quorum at meetings shall consist of one third of the members, provided that representatives of at least 2 political groups represented on the body are present.
- 11.4 All questions coming or arising before a board shall be decided by a majority of the voting members present and voting thereon. Each member shall have one vote. In the case of an equality of votes the Chair shall have the casting vote in addition to any vote(s) that he or she may be entitled to cast as a member of the board.

## 12. Portfolios and Forums

- ~~12.1 In agreed policy areas to be determined by the LGA Executive, there shall be portfolio holders, supported by lead members with designated responsibilities, whose role will be to lead and oversee all policy development and activity.~~
- ~~12.2 The appointment of portfolio holders and lead members will be done in accordance with the LGA's political proportionality.~~
- ~~12.3 12.1 Twice yearly, each portfolio holder will invite councils in LGA membership to send member representative(s) with a relevant policy brief to attend a forum to contribute to the LGA's priorities and policy development in that policy area. Forums will not be decision-making and therefore political proportionality will not apply.~~

**Commented [CH9]:** To be removed to reflect the Leadership Board decision on 8/6/15 to revert to a Board structure following a review of governance arrangements.

## 13. Fire Commission & Fire Services Management Committee

- 13.1 There shall be a Fire Commission on which all fire authorities in associate or corporate membership of the Association shall have the right to representation and voting in accordance with **Annex 2**.
- 13.2 Additional members from fire authorities shall be appointed as necessary by the group leaders to ensure political balance as provided by Article 3.3.
- 13.3 There shall be a Fire Services Management Committee, whose role is to represent the views and concerns of the fire community in relation to fire services modernisation, and to take the lead on day-to-day policy issues affecting fire authorities. The Fire Services Management Committee will report to the Board which has responsibility for community safety and for all matters relating to fire and other blue light services.

## **14. Welsh Local Government Association**

- 14.1 Principal councils, statutory combined fire authorities and national parks authorities in Wales, shall be eligible either for full membership of the Association, or for corporate membership through the Welsh Local Government Association (WLGA).
- 14.2 Welsh local authorities joining as full members will be entitled to participate fully in all the activities of the Association. Welsh local authorities that join as Welsh corporate members will have limited voting rights as set out in Article 6 of the Constitution, and limited representational rights as set out in Article 5 of the Constitution.
- 14.3 In recognition of the special constitutional position of Wales as a nation in its own right, the WLGA:
- 14.3.1 Will have complete autonomy in respect of all policy matters affecting Wales;
  - 14.3.2 Will have complete autonomy in respect of Wales' relationships with the international community including European organisations; and
  - 14.3.3 Will be entitled to directly appoint representatives to the Welsh share of places on national and international bodies, and on the LGA Executive.
- 14.4 In addition to any subscriptions paid by individual Welsh Authorities in full membership of the Association, the WLGA shall pay to the Association a corporate subscription, agreed annually, on behalf of those Welsh authorities in corporate membership.

## **15. Special Interest Groups**

- 15.1 If ten or more full member authorities with common features, interests or concerns so request by formal notice to the Chief Executive, the Association, acting through the Leadership Board, they may establish a Special Interest Group (SIG). Membership shall be open to all member authorities with such common features.
- 15.2 In any case of doubt as to whether an authority is eligible for membership of a SIG, the Leadership Board shall determine the matter.
- 15.3 The Association may provide secretarial services to SIGs, having regard to the overall level of resources available to the Association, provided it is satisfied that the SIG's activities accord with the strategic direction and interests of the Association as a whole. SIGs may provide their own, or augment Association support, through resources raised from member authorities.
- 15.4 Special Interest Groups shall develop their own rules of procedure subject to the approval of the Leadership Board. Each Special Interest Group shall report annually on its activities to the Leadership Board.

## **16. Responsibility for Action**

- 16.1 In matters of local government in general or which concern all member authorities, the Association will speak for all its member authorities.
- 16.2 The WLGA, and recognised groupings of member authorities established under Article 14 above, may speak for the interests they represent, subject to their views not conflicting with or undermining the LGA's policy as a whole or damaging the interests of other member authorities.
- 16.3 The Association shall ensure that the appointment of councillors to represent the views of member authorities on outside bodies or on delegations shall so far as is practicable reflect the political balance of the board.
- 16.4 The Association shall not in the context of the issue of local government reorganisation adopt or support any policy which adversely affects any category of member authority, for example, county and district councils or unitary authorities. Nothing in this Article shall prevent any member authority or group of member authorities seeking factual information from officers to assist such an authority or group in promoting outside the Association a view in connection with any reorganisation.

## **17. Chief Executive and Staff**

- 17.1 There shall be a Chief Executive of the Association appointed on such terms and conditions as agreed by the Leadership Board and such other staff as may be necessary for the purpose of implementing the Association's objects and powers.

## **18. Support for Political Groups**

- 18.1 Political groups recognised by the Association for the purposes of representation on its governance structures, and whose total share of the weighted electorate is five per cent or more, shall be entitled to reasonable support from the Association to enable them to play their part in influencing parties on behalf of member authorities.

## **19. Members' Scheme of Allowances**

- 19.1 The Association shall provide a scheme for the payment of allowances and expenses to members appointed to agreed LGA roles, in recognition of duties carried out on behalf of the Association.
- 19.2 The LGA Executive may establish an Independent Panel to review at agreed times the Scheme of Allowances and to make recommendations for decision by the LGA Executive.

## **20. Finance**

- 20.1 The LGA Leadership Board shall approve prior to the last day of March in each year a statement of estimated expenditure for the year commencing on the following first day of April.
- 20.2 The subscriptions of member authorities for each year commencing 1 April shall be at rates to be determined annually by the LGA Leadership Board.
- 20.2.1 The annual subscription of each full member authority shall be calculated according to a formula determined by the LGA Leadership Board, having regard to the allocation of votes as set out in Article 6.1. A maximum subscription for any year shall be set.
- 20.2.2 The WLGA shall on behalf of Welsh Authorities pay a corporate subscription at a rate that reflects the special constitutional position of Wales.
- 20.2.3 Associate members shall pay such reduced rate of subscription as agreed by the Leadership Board and which reflects the level of support and service to which they are entitled.
- 20.3 Subscriptions shall be payable on 1 April in each year.
- 20.4 The Chief Executive shall be responsible for the preparation of an Income and Expenditure Account and Balance Sheet each year, for their examination and certification by independent professional auditors and for the submission of those accounts to the General Assembly.
- 20.5 The Association may invest, lend or otherwise deal with monies not immediately required for its purposes in such manner as may be thought fit by the Leadership Board and may borrow or raise money in accordance with financial regulations agreed by the Board.
- 20.6 The Association may purchase, take on lease or otherwise obtain land and buildings for use as offices, to provide accommodation for meetings of the Association and for the use of staff and for ancillary and related bodies; and may sell, or otherwise dispose of, such land and buildings all on such terms and in such manner as the Leadership Board considers suitable, and may establish companies for this purpose.
- 20.7 The Chief Executive, or in his or her absence another authorised officer, and the Chair of the Association, or in his or her absence a Vice or Deputy Chair, shall be authorised to enter into and execute all instruments, deeds or assurances on behalf of the Association.

## **21. Resignation of Member Councils**

- 21.1 Any member authority of the Association wishing to terminate its membership shall give not less than twelve months' notice, in writing, to the Chief Executive to expire on 31 March in any year. At the expiration of the period of notice the member authority shall cease to be a member of the Association and shall become a past member.

- 21.2 Any member authority upon ceasing to be a member of the Association and becoming a past member, shall:
- 21.2.1 Forfeit all right to and claims upon the Association and its property and funds; and
  - 21.2.2 Lose any entitlement whatsoever to any share in the assets of the Association whether on a dissolution or otherwise (save in so far as these Articles provide for the assets of the Association to be set off against the liabilities of the Association to determine the “net liabilities” under Article 21.3).
- 21.3 Any past member authority shall remain liable for its share of the net liabilities of the Association for a period of five years from the date when the member authority ceased to be a member of the Association and shall discharge its share of the net liabilities of the Association on a dissolution calculated in accordance with Article 21.

## 22. Dissolution

- 22.1 If at any meeting of the General Assembly a motion for the dissolution of the Association shall be passed by at least two-thirds of members from full member authorities present with at least two-thirds of such authorities represented at the meeting, the LGA Leadership Board shall thereupon proceed to realise the assets of the Association, to pay the liabilities of the Association and to make arrangements whereby the member authorities (both existing and past) shall discharge the Association’s net liabilities.
- 22.2 On the completion of such arrangements, the remaining assets of the Association (if any) shall be distributed to all authorities in membership at the date of dissolution (referred to herein as “existing members”) in the proportion which the total annual subscriptions paid or payable by each existing member to the Association in the last ten accounting periods prior to the date when the motion for dissolution was passed bears to the total subscriptions paid by all existing members in the same period. The Association shall thereupon be dissolved.
- 22.3 In the event that the Association’s assets should prove to be insufficient to discharge its liabilities member authorities (both existing and past) shall contribute such additional sum as is required to eliminate the deficiency.
- 22.4 Every member authority (both existing and past) shall contribute towards any deficiency in the proportion to which the annual subscription which the authority was liable to pay in its last year of membership (which in the case of existing members shall be the full accounting year immediately before the accounting year in which the motion of dissolution was passed, and in the case of past members shall be the accounting year at the end of which its membership ceased) bears to the total amount of subscriptions, as so determined, payable by all member authorities (both existing and past).
- 22.5 The provisions set out in Articles 21.2, 21.3 and 21.4 do not apply where dissolution is effected for the purpose of reconstitution or merger.

Commented [CH10]: No article 21.4

22.6 For the purposes of Articles 20 and 21 the liabilities of the Association shall include without prejudice to the general meaning of “liabilities” the following:

22.6.1 Any sums which are or may in the future become due and payable by the Association under the terms of any lease, licence, mortgage, debenture, loan, guarantee, indemnity or any other agreement or arrangement to which the Association is a party and pursuant to which the Association is or becomes indebted.

22.6.2 Any sums which are or may in the future become due and payable by the Association or by its members or any one or more of them:

22.6.2.1 To an administering authority for the purposes of the local government pension scheme regulations for the time being in force; and

22.6.2.2 In respect of the Association’s liability to pay the amount of any unfunded pension costs rechargeable to the Association. The amount of such unfunded pension costs shall be determined by an Actuary acting as an expert and appointed by the Association and the determination shall be conclusive.

22.6.3 Any sums which are or may in the future become due and payable to officers and/or employees of the Association including salary, wages, redundancy, compensation for loss of office or employment or any other benefits (including early retirement packages) to which such officer or employee is or becomes entitled by reason of law or in circumstances where the Association is dissolved, in accordance with the policy of the Association existing at the date of the passing of the motion for dissolution.

22.6.4 Any sums (whether by way of damages or otherwise) which are or may in the future become due and payable in respect of any liability in law whether in contract, tort or otherwise.

22.7 For the purposes of Articles 20 and 21:

22.7.1 A sum may become due in the future in whatever circumstance including on the dissolution of the Association.

22.7.2 Net liabilities shall mean the assets of the Association less “the liabilities” of the Association.

22.7.3 “The assets of the Association” shall include all legal and equitable interests in any asset whatsoever including fixed, current, tangible and intangible assets.

22.8 In the event of a dispute between an existing or past member authority and the Association as to the amount which an authority should contribute or receive under this Article the matter shall be referred to arbitration.



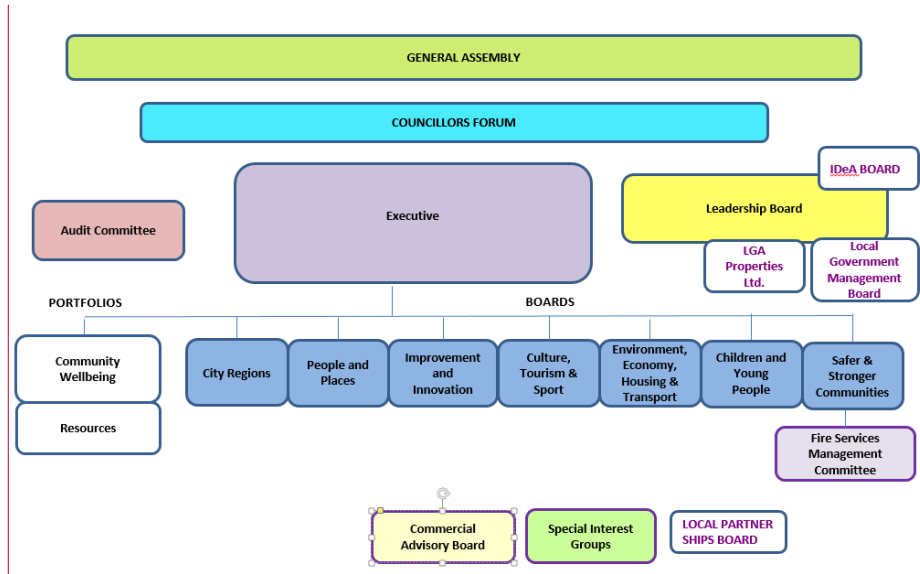
22.9 Any arbitration shall be conducted in accordance with the Arbitration Rules of the Chartered Institute of Arbitrators. The Arbitrator shall be appointed by the President for the time being of the Institute of Chartered Accountants of England and Wales. In the event that the Arbitrator issues a determination providing that a member or former member authority is liable to contribute a specified sum under this Article the authority shall pay the monies which the Arbitrator determines it ought to pay within seven days of the issue of the award.

22.10 The terms of Articles 20 and 21 which exist as at 12 December 2005 shall apply to all members who have resigned from the Association on or before that date. The terms of clauses 20 and 21 which exist as at 13 December 2005 shall apply to all members who are members on or who join the Association after 13 December 2005, notwithstanding that such a member may have given notice to resign from the Association prior to that date.

### **23. Alteration of the Constitution**

23.1 The General Assembly shall have power to alter this Constitution, provided that a motion in favour of each such alteration shall be passed by at least two-thirds of voting members from full member authorities present, voting in accordance with Article 6, with at least two-thirds of such authorities represented at the meeting.

## Annex 1 – LGA Governance structure



**Commented [CH11]:** Amended in line with the Leadership Board decision for the Portfolios to revert to Boards.

### Executive

Determines the Association's strategic priorities and policy framework, having regard to any advice from the LGA Leadership Board and representing the views of local government; holds the Boards to account; co-ordinates growth and transport policy on the advice of the City Regions, People and Places and Environment, Economy, Housing and Transport Boards; determines finance and workforce policy on the advice of the Resources Board.

### Leadership Board

Directs the Association's activities and business and ensures its proper management, in accordance with the strategic priorities and direction set by the LGA Executive; responsible for the management of internal resources and for policies on resource management; reports and makes recommendations to the LGA Executive on the Association's activities.

### Boards

Engage with and develop a thorough understanding of councils' priorities in relation to their particular area; help shape the LGA business plan and oversee programmes of work to deliver, through extensive engagement with councils, the strategic priorities set by the LGA Executive.

The Boards are:-

- ◆ Children & Young People
- ◆ Community Wellbeing
- ◆ Culture, Tourism & Sport
- ◆ Safer and Stronger Communities Safety
- ◆ Environment, Economy, Housing & Transport
- ◆ Resources

**Commented [CH12]:** Correction

- ◆ Improvement & Innovation
- ◆ City Regions
- ◆ People & Places

Each Board has its own terms of reference.

**Audit Committee**

Monitors the integrity of the financial statements of the LGA and its associated companies and oversees their internal control and risk management systems.

**Fire Commission/Fire Services Management Committee**

Provides a forum for authorities with responsibility for fire and rescue to come together to discuss matters of common interest and concern, to exchange good practice and to influence the priorities and activities of the LGA. The Commission is led by the Fire Services Management Committee which reports to the Safer and Stronger Communities Board.

**Councillors' Forum**

Offers a programme of topical external/internal speakers and discussions and receives reports from the Chairman of the Association and the chairs of the nine boards.

**Company Boards of the IDeA, LGA (Properties) Ltd and Local Government Management Board**

**Commented [CH13]:** To include property company boards

Direct the activities and business of the respective bodies and ensure their proper management in accordance with their Memoranda and Articles of Association and with the strategic priorities and direction of the LGA set by the Executive; contribute to the development of the LGA business plan; oversee delivery of projects commissioned outside the LGA; report to the Executive Leadership Board on their activities.

## Annex 2 - Composition of Fire Commission

Fire Authority	Votes	Fire Authority	Votes
Avon	1	Norfolk	1
Bedfordshire & Luton	1	North Yorkshire	1
Berkshire (Royal)	1	Northamptonshire	1
Buckinghamshire & Milton Keynes	1	Northumberland	1
Cambridgeshire & Peterborough	1	Nottinghamshire & City of Nottingham	1
Cheshire	1	Oxfordshire	1
Cleveland	1	Shropshire & Wrekin	1
Cornwall	1	Stoke-on-Trent & Staffordshire	1
Cumbria	1	Suffolk	1
Derbyshire	1	Surrey	1
Devon & Somerset	2	Warwickshire	1
Dorset and Wiltshire	2	West Sussex	1
Durham & Darlington	1	Greater Manchester	3
East Sussex	1	Merseyside	2
Essex	2	South Yorkshire	2
Gloucestershire	1	Tyne & Wear	1
Hampshire	2	West Midlands	3
Hereford & Worcester	1	West Yorkshire	2
Hertfordshire	1	London Fire & Emergency Planning (LFEP)	9
Humberside	1	Mid & West Wales	1
Isle of Wight	1	North Wales	1
Kent & Medway	2	South Wales	1
Lancashire	2		
Leicester, Leicestershire & Rutland	1		
Lincolnshire	1		

## Part 2 - Standing Orders

### Part A: Meetings of the General Assembly of the LGA

#### 1. Attendance Record

~~1.1 At every meeting each representative of a member authority shall enter his/her name on an attendance record provided by the Chief Executive from which attendance of such member authorities will be recorded.~~

**Commented [CH14]:** No longer practice at General Assembly

#### 2. Order of Business

2.1 The order of business at each meeting of the General Assembly shall be

2.1.1 Appointments and Business

2.1.1.1 Election of President ~~and appointment of Vice-Presidents~~

2.1.1.2 Election of Chairman, Vice-Chairman and Deputy Chairman

2.1.1.3 Audited Accounts

2.1.1.4 ~~Appointment of Vice-Presidents~~

2.1.1.5 Approval of Minutes of previous General Assembly

2.1.2 General Assembly Motions

2.1.3 Chairman's Report

2.1.4 The Chair may, at his/her discretion, alter the order in which business is taken.

**Commented [CH15]:** Vice Presidents now appointed by Groups not elected by General Assembly

#### 3. Notices of Motion

3.1 At any meeting of the General Assembly motions may be moved of which notice is given as set out above.

3.2 Notice of a motion to be moved at the Annual Meeting, shall be given to the Chief Executive not less than forty-two clear days before the meeting. In the case of special meetings notice shall be given not less than twenty-one clear days before the meeting.

3.3 The LGA Executive shall determine whether notices of motion, other than those to be submitted by boards of the Association or to a special meeting, to be moved at any meeting of the General Assembly shall instead receive consideration by such Boards as they shall decide. Members submitting notices of motion shall be informed of the LGA Executive decision in such cases.

#### 4. Special Meetings

4.1 A special meeting of the General Assembly may be called at any time by the LGA Leadership Board subject to ten clear days' notice being given to member authorities stating the agenda.

4.2 A special meeting of the General Assembly, of which twenty-one clear days' notice shall be given, shall also be called by the Chief Executive within seven clear days of receiving a requisition signed by the Chief Executive or other appropriate officer of a member authority

on behalf of not less than one-quarter of authorities in full membership of the Association and stating the terms of the motion or motions proposed to be moved at such a meeting.

- 4.3 At special meetings called under this rule, no business other than that mentioned in the agenda shall be transacted.
- 4.4 A valid requisition under this rule may consist of a single letter or of two or more letters in the same form on which the member authorities signifying the request amount in total to the requisite numbers.

### **5. Motions and Amendments without Notice**

- 5.1 The following motions may be moved without notice:
  - 5.1.1 To appoint a Chair for that Meeting or the remainder of the meeting;
  - 5.1.2 Motions relating to the accuracy of the minutes, closure, adjournment, order of business, or next business;
  - 5.1.3 Adoption of reports or recommendations of LGA Executive, Boards and any subsequent resolutions;
  - 5.1.4 That a matter be referred or referred back to a Board;
  - 5.1.5 That representatives of the media be excluded from the meeting;
  - 5.1.6 That leave be given to withdraw motions;
  - 5.1.7 Amendments to motions; and
  - 5.1.8 Suspending standing orders.

### **6. Minutes**

- 6.1 No motion or discussion shall take place upon the minutes except upon their accuracy and any question of their accuracy shall be raised by motion. If no such question is raised, or if it is raised then as soon as it has been disposed of, the Chair shall sign the minutes.

### **7. Rescission of Earlier Resolution**

- 7.1 No notice to rescind any resolution passed within the preceding twelve months, and no notice or amendment to the same effect as one which has been negated within the preceding twelve months, shall be proposed. This standing order shall not apply to motions moved in pursuance of the report or recommendation of a Board.

## **8. Rules of Debate**

### **Respect for Chair**

- 8.1 A representative, when speaking, must stand and address the Chair. He/she shall direct his speech to the question under discussion. When the Chair rises during a debate any member then standing must immediately stop speaking and sit down. If two or more delegates rise the Chair shall call on one to speak. The Chair shall decide all questions of order and his/her ruling upon all such questions or upon matters arising in debate shall be final and shall not be open to discussion.

### **Motion or Amendment – Procedure**

- 8.2 A motion or amendment shall not be discussed unless it has been proposed and seconded by representatives of authorities in membership of the Association.
- 8.3 Representatives of authorities in corporate membership may propose and second motions or amendments only where these are of direct relevance to their statutory duties and responsibilities. They may not be seconded by a representative from the same authority as the mover of the motion or amendment.

### **Content of Amendment**

- 8.4 An amendment must relate to the motion and either
- 8.4.1 Leave out words;
  - 8.4.2 Leave out words and insert or add others; or
  - 8.4.3 Insert or add words.
- 8.5 Any such amendment must not have the effect of negating directly the original motion.

### **When a Member may speak again on a Motion**

- 8.6 No representative shall address the meeting more than once on any motion or amendment except:
- 8.6.1 The mover of an original motion shall have the right to reply immediately before the motion, or any amendment to it, is put;
  - 8.6.2 If the seconder of an original motion or amendment formally seconds and sits down without speaking upon it, he/she may reserve the right of addressing the meeting later;
  - 8.6.3 On a point of order or personal explanation.

### **Length of Speech**

- 8.7 No speech shall exceed three minutes except the speech of the proposer on the original motion which shall not exceed five minutes.

### **Debate on Amendment**

- 8.8 Every motion or amendment shall be reduced to writing, signed by the mover and delivered to the Chief Executive when it has been seconded.
- 8.9 After a motion or an amendment has been seconded, it shall not be withdrawn without the leave of the meeting.
- 8.10 A representative may, with the consent of his/her seconder and of the meeting, signified without discussion, alter a motion which has been proposed or of which notice has been given if the alteration is one which could have been moved as an amendment thereto.
- 8.11 A proposer of a motion or of any amendment may, with the concurrence of the seconder and the consent of the meeting, withdraw the motion or amendment which he/she has proposed and it shall not be competent for any representative to speak upon it after the proposer has asked permission for its withdrawal, unless such permission shall have been refused.
- 8.12 If an amendment is rejected, other amendments may be moved on the original motion. If an amendment is carried the motion, as amended, takes the place of the original motion and becomes the motion upon which any further amendments may be moved.
- 8.13 A further amendment shall not be moved until the meeting has disposed of every amendment previously moved. After all amendments have been disposed of, the motion before the meeting shall be put without further debate.

### **Motions which may be Moved During Debate**

- 8.14 A representative who has not already spoken in the debate may at the conclusion of a speech of another representative move without comment: -
- 8.14.1 "that the question be now put";
  - 8.14.2 "that the debate be now adjourned";
  - 8.14.3 "that the meeting proceed to the next business"; or
  - 8.14.4 "that the meeting do now adjourn",
- 8.15 On the seconding of which the Chair, if in his/her opinion the motion before the meeting has been sufficiently discussed, shall, subject to the mover's right of reply, put the question to the vote and, if it is carried, the motion before the meeting shall be put to the vote or the subject of debate shall be deemed to be disposed of for that day, or the meeting may stand adjourned as the case may be.

### **Personal Explanation and Points of Order**

- 8.16 A representative may rise on a personal explanation or a point of order at any time and is entitled immediately to address the Chair on the matter; but



- 8.16.1 A personal explanation shall be confined to some material part of an earlier speech by the representative and on which a misunderstanding has occurred.
- 8.16.2 The representative who raises a point of order must specify immediately a Standing Order and say how it has been broken or infringed;
- 8.16.3 In either case the representative's speech must be confined to the personal explanation or point of order.
- 8.16.4 The ruling of the Chair on a personal explanation or point of order is not open to discussion.

## 9. Voting

- 9.1 Questions shall wherever possible be determined by a show of hands.
- 9.2 A ballot may be held if:
  - 9.2.1 At any time the Chair considers it desirable, or
  - 9.2.2 Immediately after he/she has declared the result of voting, representatives from not less than one-third of the authorities represented at the meeting rising in their places demand a ballot.
- 9.3 If a ballot is requested in line with Article 9.2 above, then the Chief Executive of the Association will arrange for voting cards to be distributed to and collected from the representatives present [or an electronic vote to take place](#).
- 9.4 The actual votes cast, weighted in line with Article 6 of the Constitution, will be determined retrospectively and the LGA will notify the Chief Executive of all member authorities of the result of the ballot within 3 working days of the meeting of the General Assembly.
- 9.5 Any voting card not completed in full and signed by the councillor will be considered a spoiled vote and will not be counted.

Commented [CH16]: To provide flexibility for future

## 10. Notices

- 10.1 All notices and communications required by these standing orders to be sent or delivered may be sent by post, and any such notices or communications shall be deemed to be received on the day on which in the ordinary course of first class post they would be received.

## 11. Suspension of Standing Orders

- 11.1 Any of the preceding standing orders may be suspended at any meeting, in respect of any business on the agenda for such meeting, provided that the majority of the representatives of authorities in full membership of the Association who are present and voting so decide.

## Part B: Meetings of the Leadership Board, Executive and Boards of the Association

### 12. Attendance at meetings

- 12.1 At every meeting each representative of a member authority shall enter his/her name on an attendance record provided by the Chief Executive from which attendance of such member authorities will be recorded.
- 12.2 Observers may attend any of the meetings covered in part 2 of the Standing Orders but shall not take part in discussions without the consent of the Chair and other lead members of that body. Observers shall not vote. Observers may be requested to leave the meeting if a confidential item is to be discussed.

### 13. Order of Business for Leadership Board, Executive and Boards

- 13.1 ~~Election of a Chair, Vice-Chair and Deputy Chairs shall be the first item of business at the first meeting of the body after the Annual Meeting of the Association.~~ The order of business at each Executive or Board meeting shall be:

**Commented [CH17]:** Chairs, vice and deputies either elected by General Assembly or appointed by the Groups

13.1.1 To appoint a Chair for the meeting in the absence of the Chair and Vice-Chair of the body.

13.1.2 To approve as a correct record ~~and sign~~ the minutes of the last meeting.

**Commented [CH18]:** No longer standard practice

13.1.3 Chair's announcements.

13.1.4 To dispose of business (if any) remaining from the last meeting.

13.1.5 To receive and consider reports/minutes of task groups.

13.1.6 To transact other business in the order stated on the agenda paper.

13.1.7 The Chair may at his/her discretion alter the order in which business is taken.

### 14. Minutes

- 14.1 No motion or discussion shall take place upon the minutes except upon their accuracy and any question of their accuracy shall be raised by motion. If no such question is raised, or if it is raised then as soon as it has been disposed of, the Chair shall sign the minutes.

### 15. Rescission of Earlier Resolution

- 15.1 No notice to rescind any resolution passed within the preceding twelve months, and no notice or amendment to the same effect as one which has been negated within the preceding twelve months, shall be proposed. This standing order shall not apply to motions moved in pursuance of the report or recommendations of task groups.

## **16. Voting**

16.1 Questions shall wherever possible be determined by a show of hands.

16.2 A ballot may be held if:

16.2.1 at any time the Chair considers it desirable, or

16.2.2 immediately after he/she has declared the result of voting, representatives from not less than one-third of the authorities represented at the meeting rising in their places demand a ballot.

16.3 If a ballot is requested in line with Article 9.2 above, then the names of the authorities represented and the votes of their representatives shall be taken by the Chief Executive and recorded in the minutes.

## **17. Suspension of Standing Orders**

17.1 Any of the preceding standing orders may be suspended at any meeting, in respect of any business on the agenda for such meeting, provided that the majority of the representatives who are present and voting so decide.

## **Part 3 - LGA Political Conventions**

### **1. Background**

- 1.1 The LGA operates on a cross-party consensual basis as the legitimate voice of local authorities – independent of central government or opposition parties.
- 1.2 The LGA supports diversity; there is more than one correct response to society's problems and member authorities must have the right to respond to their communities in different ways. Differences must be respected and minority views must be able to be heard within the LGA. It follows that members of the LGA will not criticise publicly other member authorities of the LGA.
- 1.3 The LGA will seek to find solutions to problems of conflict by discussion; it will endeavour to avoid adversarial styles of political debate which assume that opposition views are incorrect because of their source; it will seek mechanisms designed to find new solutions rather than reiterating conventional wisdom.

### **2. Political Administration of the LGA**

#### **Political Structures/Cross Party Working**

- 2.1 In the event of no group having an overall majority within the Association (that is over 50 per cent of the total weighted electorate), the principle of each political group playing a part in the Association will be respected. In line with Article 3.3 of the Constitution, immediately after principal elections each year, the revised political balance of the LGA will be calculated and shared with the political groups. Once the political balance is confirmed, the Group Leaders will enter into negotiations over the allocation of chairs, vice and deputy chairs on all the LGA's political structures.
- 2.2 Similar principles govern Boards and the Fire Services Management Committee.
  - 2.2.1 Where there is no overall majority and the positions of Chairs and Vice Chairs are shared, the business of the LGA will continue to be conducted by consensus or majority opinion. In these circumstances, groups not holding the position of Chair or Vice Chair will be entitled to a Deputy Chair. Chairs and Vice Chairs must reflect the views of the LGA as a whole, regardless of the political group from which they are drawn. Political group offices may be used to issue statements on behalf of the group concerned, so long as their status is clear and the titles of LGA officeholders are not used.
  - 2.2.2 Where there is an overall majority, that group holds Chairs and Vice Chairs, with Deputy Chairs appointed by all eligible groups. Groups are entitled to a Deputy Chair if their share of the weighted electorate exceeds 5%.

#### **Arrangements for chairs and other office holders following elections**

- 2.3 In the period immediately after elections and before the first meeting of newly constituted Boards, it is normal for Chairs and other office holders to remain in place, provided they remain as councillors. Temporary nominations can be made if incumbents lose their seats. If the elections result in a change in the largest party, however, it will be important for the existing Chair to act in concert with other party spokespeople until the new arrangements are in place.

## Task Groups

- 2.4 Task groups may be appointed by the Executive or a Board, ~~with the approval of the Leadership Board~~. Task groups are expected to provide member oversight of specific business plan priorities, and should include members with relevant experience or expertise. They should be small enough (normally no more than 8 members) to enable effective working. Individual task groups need not achieve precise political balance, although the overall principles of proportionality should be reflected across all task groups.
- 2.5 Task groups should normally include a Board member, but that person need not chair the group. Chairs of task groups may be appointed from any political group. Proportionality will be observed in the appointment of Task Group chairs, but not so strictly as to inhibit the appointment of the chair most appropriate to the role and purpose of any particular task group. Substitutes will not be allowed.
- 2.6 Task groups will generally have delegated authority to oversee a project, within a remit approved by the sponsoring Board. Normally, there should be no need for the task group to seek further approval from a sponsoring Board unless they propose a significant departure from the original objectives or design of the project.

Commented [CH19]: Flexibility of Boards following deletion of Portfolios

## Fire Commission

- 2.7 The Fire Commission is open to membership by all Combined Fire & Rescue Authorities and by principal authorities with a fire & rescue service. Representation and voting at meetings is on the basis of the ~~size of electorate population~~ and is set out in **Annex 2** to the Constitution.
- 2.8 The Fire Commission has a management committee which reports to the ~~Safer and Stronger Communities Safety~~ Board but which may act on behalf of the Commission. The General Assembly has the overriding power to vary or modify the structure, and to determine terms of reference, delegated powers and rules for transaction of their business.

Commented [CH20]: Correction

Commented [CH21]: Correction

## Agenda

- 2.9 Chairs, Vice-Chairs and Deputy Chairs of Boards, Commission, the Leadership Board, and the Executive will have the right to call for relevant items to be placed on an agenda.

## Administrative Arrangements

- 2.10 Chairs, Vice Chairs and Deputy Chairs will be consulted on administrative arrangements for business and meetings of Boards, Commission, the Leadership Board, and the Executive, including dates and times of meetings and appointment of advisers.

## Substitutes

- 2.11 The Constitution allows for the attendance of substitutes at meetings of Boards and the Executive. Substitutes must be from the same political party. In relation to the Executive, substitutes for chairs of Boards from the same political party will be permitted, but in addition, in the absence of the chair of a Board, the Vice Chair of that Board will be able to attend to speak, but not vote, on items within that Board's remit.

#### **Chair's casting vote**

- 2.12 The Constitution provides for the Chair to have a casting vote. The casting vote will not be used to change or establish LGA policy.

#### **Special Interest Groups**

- 2.13 Special Interest Groups are open to membership by all authorities in membership of the LGA sharing a particular interest. The LGA's rules of political and authority proportionality cannot apply. Special Interest Groups will develop rules of procedure for formal approval by the Leadership Board. Groupings of classes of authority will be regarded formally as Special Interest Groups.
- 2.14 Special Interest Groups are able to speak for their interests as part of the LGA provided that their policies or statements do not conflict with or undermine LGA policy as a whole, or damage the interests of other member authorities. Finance is an area of particular difficulty. Local authority interests in the national financial settlements for local government may differ and create conflict between individual or groups of authorities. The LGA will wish to seek to ensure that such differences do not damage the case for the overall quantum of resources but will recognise the right of authorities, individually or in groups, to make their own case and to have technical support to do so, even where this may be in conflict with the interests of other authorities. Authorities are expected to respect each other's positions and to bear in mind the need to express arguments about the merits of their own case, rather than the perceived weaknesses of others.

#### **Emergency Situations**

- 2.15 In situations which threaten the organisation, the reputation of local government or the well-being of communities that the LGA represents, the LGA's Chairman and Group Leaders will constitute an Emergency Group to lead the Association's response. The Group may supplement its membership as it considers appropriate to the circumstances of the emergency.

### **3 Support for Political groups**

#### **Budget allocation**

- 3.1 The Constitution allows for Political groups recognised by the Association, whose total share of the weighted electorate is five per cent or more, to receive reasonable support from the Association to enable them to play their part in influencing parties on behalf of member authorities.
- 3.2 The Association will allocate the following funding:-
- 3.2.1 The cost of salaries for Group Office staff in line with a maximum establishment agreed with the LGA Leadership Board; and
- 3.2.2 A purchasing budget, divided on the basis of the proportions of weighted electorate used to establish the political balance of the LGA. Political groups may use their purchasing budget to secure additional staff, specially commissioned research or support services.
- 3.3 The allocations between the Groups will be reviewed and adjusted annually to reflect changes in proportionality and financial pressures within the Association.

### **Group Office staff**

- 3.4 Staff appointed to support the political groups will be employees of the Association and will be entitled to have normal access to the data and documents produced by the Association. Staff will be managed by the Chief Executive of the Association or his/her nominee.

### **Support services**

- 3.5 The establishment for each Group Office includes a political support assistant, who is responsible for providing administrative support to the Group Office. ~~All other support services, including IT equipment is provided via the Association's external supplier, Liberata in line with the contract between the Association and Liberata.~~
- 3.6 The costs of political group meetings will be charged to the Group's budget. Groups may choose to pay expenses or special responsibility allowances to Group Office Holders.
- 3.7 Subject to availability, meeting and conference rooms in Local Government House may be used free of charge for LGA activities. Refreshments will be charged to the Group budget.
- 3.8 During pre-election periods when the Association does not engage in political controversy, facilities at Local Government House may not be booked by party groups without the approval of the Chief Executive or his/her nominee. Party groups may not organise meetings involving other party group members without consultation with all Group Leaders of the Association.

Commented [CH22]: Liberata contract now terminated

## **4 Impartiality of Staff**

- 4.1 As in local authorities, the staff of the Association, with the exception of Group Office staff, will be politically impartial and will give all groups, their officers and spokespersons, equivalent advice, assistance and support, as resources allow. All staff will strive to ensure that the rules and conventions governing the Association's work are implemented fully and fairly.
- 4.2 All staff outside the Group Offices must seek the approval of the Chief Executive if they wish to stand for, or hold, elected office.
- 4.3 Political groups may, with the agreement of the Chief Executive, invite officers of the Association to attend Group meetings to provide information, advice or confidential briefings on particular matters. Political groups may, with the approval of the other Group Leaders, commission research from an officer of the Association.

## **5 Representation on Outside Bodies and Delegations**

### **Outside Bodies**

- 5.1 Every effort will be made to ensure that all groups recognised by the Association are fairly represented on outside bodies both numerically and in terms of the range/type of appointments made. Each Board should aim as far as possible to achieve political proportionality across all the appointments it makes to outside bodies. Appointments to individual outside bodies should reflect political balance where possible, subject to the constraints set by the number of appointments to individual bodies.

### **Delegations**

- 5.2 The purpose of delegations from the LGA is to have the maximum effect in representing the interests of local government to other bodies. It will be important to balance the interests of effectiveness (which will often imply small, tightly focused delegations) and representativeness which implies larger numbers.
- 5.3 The Chair of the Association or of the relevant Board, in consultation with officers, will agree the most appropriate structure, and representation for the meeting. Where small delegations are preferred, the Association will not necessarily be represented by the Chair and/or office holders of the body concerned, and political balance will not be an overriding factor in deciding representation.
- 5.4 Members nominated to represent the Association will recognise their responsibility to represent the views of the LGA as a whole.
- 5.5 It is expected that Members sitting on Outside Bodies provide regular feedback to their nominating Board.
- 5.6 Where larger numbers are appropriate, every effort will be made to have politically balanced delegations. The relevant Board will be informed of the meeting and advised of the composition of the delegation, and will receive copies of briefings and feedback from the meeting.
- 5.7 It is recognised that there will be private, informal or party political meetings where it is inappropriate to have politically balanced delegations, and they may be briefed or attended by non-political staff for technical support.

### **Wales**

- 5.8 In recognition of its constitutional position, Wales will be represented so far as possible on all outside bodies and delegations which are set up to address those matters of concern to England and Wales as a whole.

## **6 Public Statements on behalf of the Association**

- 6.1 Public statements made in the name of the LGA by the Chair or Vice Chair of a Board will represent the views of the LGA as a whole and not those of any one political group. The following procedures for media and public statements will apply subject to special arrangements during an election period set out in paragraph 6.8.

### **Planned LGA publications or similar initiatives**

- 6.2 The following process should be adopted:-
- 6.2.1 Consult with Group Leaders on the approach to be adopted in the statement;
  - 6.2.2 Group Leaders to agree in whose name a statement should be made or agree that a statement be issued with no personal attributions;
  - 6.2.3 Group Leaders to agree **either** a suitably experienced councillor to speak on behalf of the Association on the broadcast media **or** a slate of suitably experienced councillors with details of their availability.



6.3 In the absence of agreement by the Groups, or of a suitably experienced councillor, an appropriate senior officer can speak on behalf of the Association. A briefing note will be prepared setting out the LGA's policy position as the basis of any statements and comments made on behalf of the LGA.

#### **Government announcements and decisions of which the Association has advance notice**

6.4 As for planned LGA statements, with additional emphasis on the need for flexibility and pace to meet externally set timescales.

#### **Announcements and developments of which the Association has no advance notice**

6.5 Precise handling will inevitably vary from case to case depending on the circumstances, but the key principles are that:

- 6.5.1 As far as possible statements should reflect a cross-party view within the Association;
- 6.5.2 Where such a view can be established the Chair or Vice Chair may issue a statement. If this is not possible:
- 6.5.3 Written statements should be issued in the name of the Association without any personal attribution;
- 6.5.4 An appropriate senior officer will be made available for broadcast interviews.

6.6 Where the LGA has an established policy position this will form the basis of any public statement. Where this is not the case, discussions will be held with the appropriate lead members to establish the basis of the Association's reaction to any statements.

6.7 On occasions it may be appropriate for Groups to issue their own public statements. The status of such news releases/statements will be made clear.

6.8 To preserve political impartiality, no public statement will be made by the Association, or staff of the Association, without the agreement of the Chair of the Association and all group leaders:

- 6.8.1 during the period between the announcement of a dissolution of Parliament and the holding of a General Election,
- 6.8.2 during the period of a campaign for elections to the European Parliament or
- 6.8.3 for the four weeks preceding local authority elections.

## **7. Conferences**

### **Chairing Sessions**

- 7.1 Where possible the Chair, or other lead member of the appropriate Board should have the opportunity to introduce and/or chair conferences and events run by the LGA to present the Association's policy line.
- 7.2 Where the nature or timing of the event precludes this, chairing arrangements should be discussed and agreed with the Group Offices.

### **Councillors as speakers**

- 7.3 The Association must ensure that as far as possible its conferences as a whole, reflects its political structure and balance. Although it is not possible to achieve a precise political balance in any one conference, the following factors will be considered when involving councillors as speakers or as chairs:
- 7.3.1 If a councillor is speaking, is he/she presenting the formal position of the Association (for example as chair of a Board), **or** of his/her authority, **or** a political view? If the latter, the conference must include speakers from the other groups.
  - 7.3.2 If there are a number of sessions, the chairs and/or speakers will as far possible be distributed between the main Groups according to political proportionality.
  - 7.3.3 When identifying authorities to illustrate good practice, efforts will be made to ensure that as far as possible all parties are represented.

### **Ministers and other politicians**

- 7.4 Ministers speak at many LGA events. This is important as it reinforces the LGA's status as the national voice for local government and helps maximise delegate numbers.
- 7.5 Where Ministers speak at one-day events, it will not always be practical or appropriate to include speakers from the other political parties. However the following factors will be taken into account:-
- 7.5.1 If the focus of the event is largely on the implementation of, or practical implications for local authorities on, new legislation or new Government procedures or guidance, it will not normally be necessary or appropriate to involve speakers from the other political parties;
  - 7.5.2 If the focus of the event is to debate a new or developing aspect of Government policy, then the programme should normally involve speakers from the other political parties;
  - 7.5.3 The programme for major two or three day events should always be politically balanced.
- 7.6 The lead members of the sponsoring Board and/or the political offices will be consulted on the selection of political speakers.

**30 June 2016**