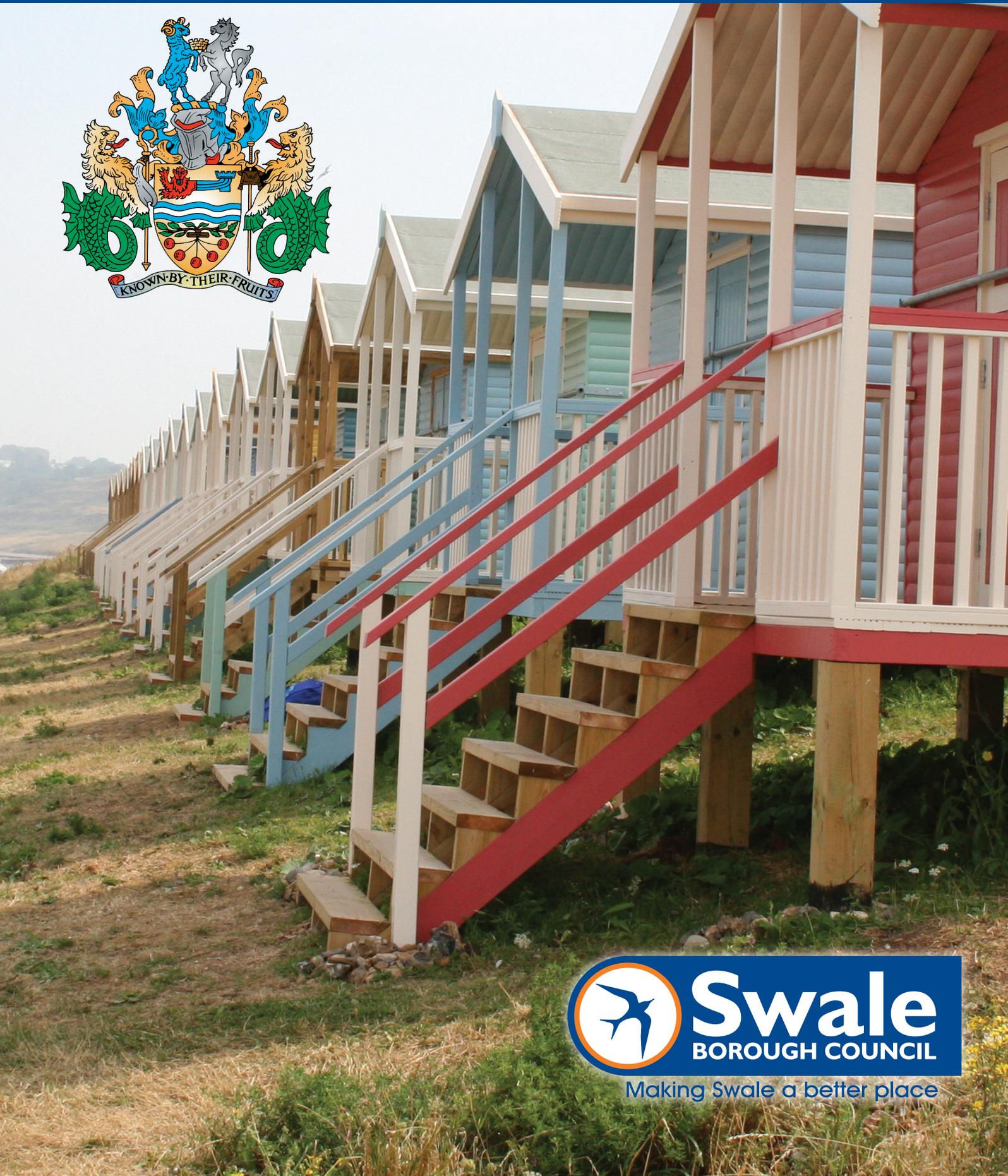


# Becoming a Councillor 2019

## Guide for prospective Borough Councillors



Making Swale a better place

# Becoming a Councillor

“Different people become Councillors for different reasons. Councillors represent everyone who lives in the area they are elected into. They may work with local schools, community associations, youth organisations and residents’ groups – all working to improve the community.

As a Councillor you would give a voice to each individual resident, to influence what the Council does and how it does it – from providing services for children and older people to planning major developments; from emptying the bins to providing housing for local residents.

Councillors are unique in the range of issues they deal with and the positive impact they can have on both individuals and the local area.” (Local Government Improvement & Development).

**[www.beacouncillor.org.uk](http://www.beacouncillor.org.uk)**

# 1. The Council

Thank you for your interest in the work of Swale Borough Council and in standing as a Borough Councillor. The purpose of this guide is to provide you with background information about the role of a Borough Councillor and how to stand for election. If you would like to find out more we have included a list of contacts and web links at the back of the booklet. We hope you find the guide useful and welcome your feedback.

The next Borough Council elections are on **Thursday 2 May 2019**. All 47 Council seats are up for election and the allocation of seats across the Borough is based on the ward boundaries, as shown on the map later in this document. The Notice of Election must be published no later than 25 working days prior to the election, and this marks the start of the nomination process. Given that 2 May 2019 is the date for Borough and Parish Elections, the intention is to publish the Notice of Election on 18 March 2019 and nominations will start on the same day, between 10am and 4pm. The deadline for nominations is 4pm on 3 April. Further information on this can be viewed on the Council's website. Councillors serve a four-year term of office.

## Statistics about Swale

The area of Swale is 37,341 hectares and the total area of Kent is 354,295 hectares. The population of Swale is 146,700, and the projected forecast for 2022 is 152,400.

Areas of Swale	Population
Faversham Urban Area – 4 Wards	19,980
Sittingbourne Urban Area – 8 Wards	46,350
Isle of Sheppey – 5 Wards	44,770
Swale Rural Area – 7 Wards	35,610

Swale has the third largest population of all the district authorities in Kent, after Maidstone and Canterbury, with 9.4% of the total population of the County.

Source: 2017 Mid-Year Population Estimates (released 25 October 2018) Office for National Statistics

Useful links:

[https://www.kent.gov.uk/\\_\\_data/assets/pdf\\_file/0018/8145/Mid-year-population-estimates-ward-level-population.pdf](https://www.kent.gov.uk/__data/assets/pdf_file/0018/8145/Mid-year-population-estimates-ward-level-population.pdf)

<https://www.kent.gov.uk/about-the-council/information-and-data/Facts-and-figures-about-Kent>

<https://archive.swale.gov.uk/assets/Planning-General/Planning-Policy/Annual-Monitoring-Report/AMR-16-17-FINAL.pdf>

## Borough Wards and Town and Parish Councils in Swale

Swale Borough Council has 47 Councillors representing 24 Wards. The Borough also has 3 Town Councils (Faversham, Queenborough and newly-formed Sheerness), 33 Parish Councils and 1 Parish Meeting.

The Local Government Boundary Commission undertook a review of the Council's Ward boundaries during 2013 and made some changes which took effect in 2015. This included some minor alterations to parish boundaries to bring them into line with the new ward boundaries. This guide is about standing as a Borough candidate, more information about standing as a Town/Parish Councillor is available on the Electoral Commission website or the Kent Association of Local Councils: [www.electoralcommission.org.uk](http://www.electoralcommission.org.uk) or [www.kentalc.gov.uk](http://www.kentalc.gov.uk)

## Local Government

In Swale there are three tiers of Local Government: Parish/Town, District (Borough), and County. Each tier is responsible for different issues as shown in the table below:

	County	District	Parish/Town
Allotments			✓
Bus Shelters			✓
Children and Adult Social Care	✓		
Council Tax and Business Rates Collection		✓	
Council Tax and Housing Benefits		✓	
Economic Development and Regeneration	✓	✓	
Education	✓		
Environmental Health		✓	
Highways	✓		
Housing		✓	
Leisure		✓	✓
Libraries	✓		
Planning, Development, Enforcement and Policy		✓	
Roadside verges	✓		✓
Street Lighting	✓		✓
Waste collection		✓	
Waste disposal	✓		

Some parts of Swale are unparished (Sittingbourne, Milton Regis, Kemsley and Halfway), and in those areas the Borough Council can take on the responsibilities of a Parish/Town Council.

## Standing as a Councillor

You do not need any specific qualifications or experience to stand as a Councillor; life experience is probably the best quality you can bring to the role. There are certain criteria that you will need to meet to be able to stand as a Councillor and these are outlined in Section 3.

You do not have to be a member of a political party to stand for election, as you can stand as an independent candidate. If you wish to stand for a political party then you will need to contact your local party representative.

## 2. Why Become A Councillor?

### *Councillor Mark Ellen, Sheerness East Ward*

"I stood for the Council ten years ago after being prompted by residents and colleagues and members of my political party. Previous to becoming a Councillor I was active in my community in passing on residents' concerns to local Councillors so it became a natural move. I have had no regrets.

"The best part is when I receive thanks from residents when I manage to achieve a successful conclusion to their requests for help."

### *Councillor Mike Henderson, Priory Ward, Faversham*

"I had for many years been active in my local community and believed I could achieve more as a Councillor representing local people. That has proved to be true.

"My major interests have been improving the environment, planning and development, and helping to improve the local economy.

"But I find the greatest reward in being a Councillor is helping individuals to solve problems and fighting for their rights."

### *Councillor Duncan Dewar-Whalley, Bobbing, Lower Halstow and Iwade Ward*

"Having been a Parish Councillor for many years I thought Borough Councillors were not representing the views of many local people and that community interests were not being considered seriously. I don't get my way on all issues but at least I am making a difference in the democratic process some of the time.

"Most importantly, I enjoy helping people, to access services and supporting them when things go wrong, and also being able to influence policy, thereby ensuring residents throughout the Borough of Swale get the best possible services from their local council."

### What do Councillors do?

Councillors are elected to the Council to represent the Borough of Swale and their local community and constituents. Being an effective Councillor requires both commitment and hard work. Councillors have to balance the needs and interests of residents, the political party they represent (if any) and the overall interests of the Borough. Before you consider becoming a Councillor you may want to discuss this with your family and friends to make sure they understand what you are taking on. You will need their support as you may have to spend a considerable amount of your spare time on Council business.

A Councillor's role and responsibilities can include:

- Representing the ward for which they are elected
- Community leadership and engagement – speaking up for and behalf of residents and groups; encouraging residents to engage and participate
- Taking decisions at Council meetings
- Regulatory, quasi-judicial and statutory duties (eg. deciding on Planning and Licensing issues)
- Developing and reviewing Council policy
- Scrutinising decisions taken by Councillors on the Cabinet
- Representing the Council on external organisations (outside bodies)
- Seeking to influence decision-making for the benefit of the Borough

# 3. Who can become a Councillor?

## Criteria for Election

To be able to stand as a candidate at a local government election you must:

- Be at least 18 years old on the day of your nomination
- Be a British citizen, an eligible Commonwealth citizen or a citizen of any other member state of the European Union
- Meet at least **one** of the following four qualifications – these are summarised below but please refer to the Electoral Commission Guidance for more details:
  - (i) Be registered as an elector in the Borough of Swale from the day of your nomination onwards.
  - (ii) For the 12 months before the day of your nomination and the day of the election, you have occupied as an owner, or tenant, land or other premises in Swale.
  - (iii) For the 12 months before the day of your nomination and the day of the election, your main or only place of work has been in Swale.
  - (iv) For the 12 months before the day of your nomination and the day of the election, you have lived in the Swale area.

You must also ensure that you are not disqualified from standing for election. There are a number of disqualifications, a summary is set out below, but this is by no means exhaustive and your attention is drawn to the Electoral Commission Guidance:

You cannot be a candidate if at the time of your nomination and on the day of the election:

- You are employed by the local authority or hold a paid office under the authority.
- You hold a politically restricted post.
- You are the subject of a bankruptcy restrictions order or interim order.
- You have been sentenced to a term of imprisonment of three months or more (including a suspended sentence), without the option of a fine, during the five years before polling day.
- You have been disqualified under the Representation of the People Act 1983 (which covers corrupt or illegal electoral practices and offences relating to donations) or under the Audit Commission Act 1998.

The Electoral Commission has produced a variety of guides for Councillors, which contain helpful advice about standing to be a Councillor and the election process. This includes:

- Part 1 – Can you stand for election?
- Part 2a – Standing as an independent candidate
- Part 2b – Standing as a party candidate
- Part 3 – Spending and donations
- Part 4 – The campaign
- Part 5 – Your right to attend key electoral events
- Part 6 – After the declaration of results

<http://www.electoralcommission.org.uk/i-am-a/candidate-or-agent>

## I have a disability, can I be a Councillor?

As long as you meet the criteria set out above, then anyone can stand for election. In 2011, the Government announced a commitment to an “access to elected office” fund to support disability-related costs. The Local Government Association has produced a document “Make a Difference. Be a Councillor. A Guide for disabled people” available at:

[www.beacouncillor.org.uk](http://www.beacouncillor.org.uk)

## 4. What should I expect?

### Time Commitment

This will vary between Councillors and it is up to the individual to decide how much time they can allocate to their duties as a Councillor. A survey of Swale Councillors in 2016 showed that Members spent an average of 12 and a half hours a week on Council business. You will probably spend the majority of your time with residents responding to queries (known as case work). This can involve visiting them in their homes, dealing with letters, e-mails and telephone calls. You may need to meet with Council staff to resolve issues, and these meetings will generally need to take place during the working day.

You will agree within your Group, the committees on which you will serve at the start of the civic year. If you are an Independent Member you will be contacted directly regarding your entitlement. The majority of official Council meetings start at 7pm at Swale House, Sittingbourne, although you may be required to attend a number of meetings at different times depending on the committees you serve on and the types of duties you undertake. The number and length of meetings can vary, but can be from between 30 minutes and 3 hours. Background reading of agenda and reports and attendance at outside body meetings will increase this time commitment. Councillors who sit on the Planning Committee attend Planning Work Group meetings held on site, usually on a Monday morning.

### Time off work

You are allowed time off from work, from your employer, if you become a Local Councillor\*. If you qualify\*, you are allowed reasonable time off to go to meetings or to carry out your duties. The time must be agreed with your employer beforehand and your employer can refuse your request if it is unreasonable. A specific amount of time off is not laid down in law.

\*Time off for public duties will not be available if you are an agency worker, a member of the police service or armed forces, employed on a fishing vessel or a civil servant whose public duties are connected to political activities restricted under the terms of your employment.

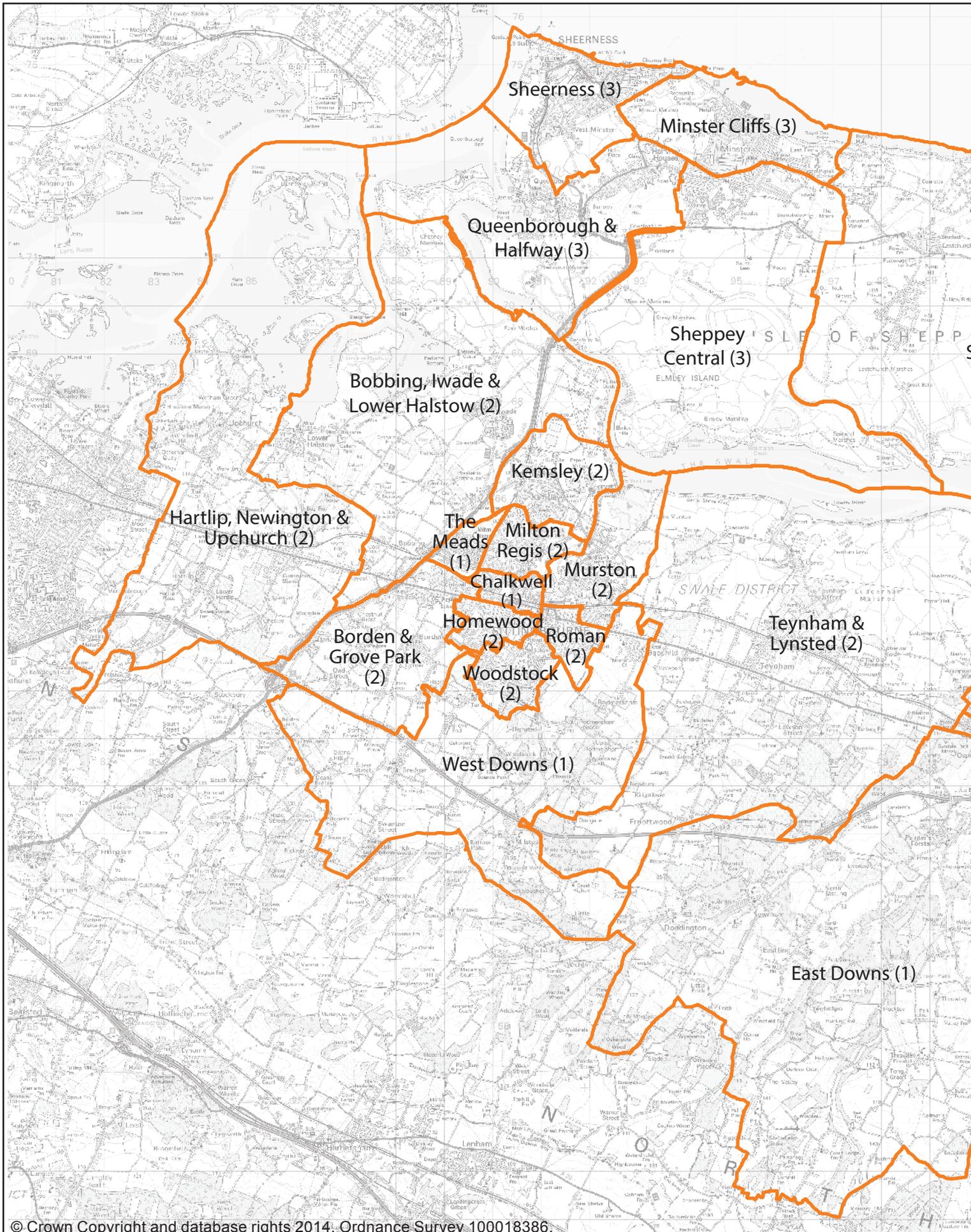
Whether your time off is classed as 'reasonable' depends on:

- The time needed to carry your duties out
- The impact on your employer's business
- How much time off you have already had for public duties

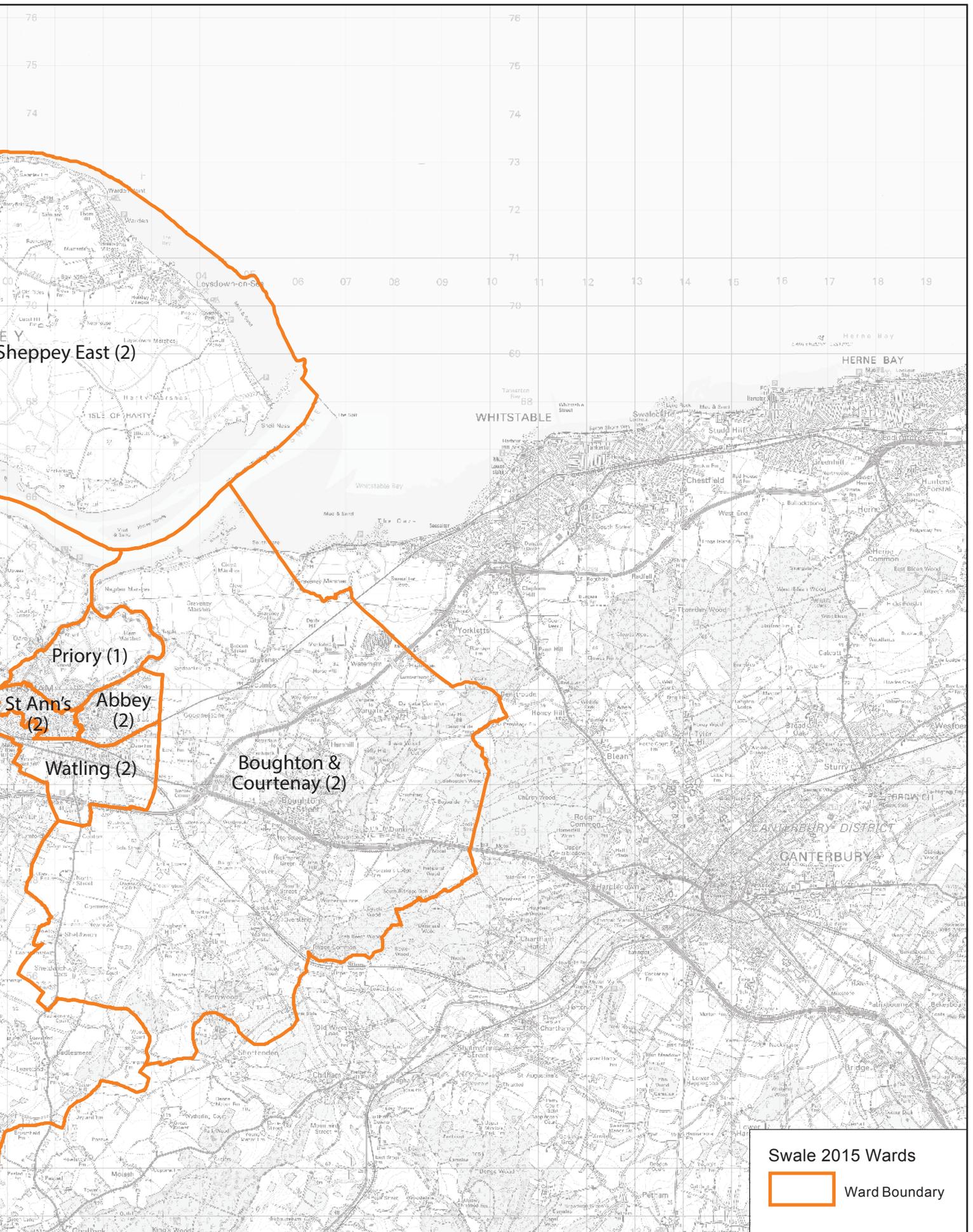
Your employer does not have to pay you whilst you take time off for public duties, although many do. Your contract of employment will normally say whether you are paid for this time off. If you have public duties you should let your employer know how long you will need off and what arrangements need to be made for cover in your absence. If your employer stops you taking time off for public duties you should first of all follow the grievance procedure outlined in your contract. For further information and useful links, please go to:

[www.gov.uk/time-off-work-public-duties](http://www.gov.uk/time-off-work-public-duties)

# Swale Wards 2015 (Num

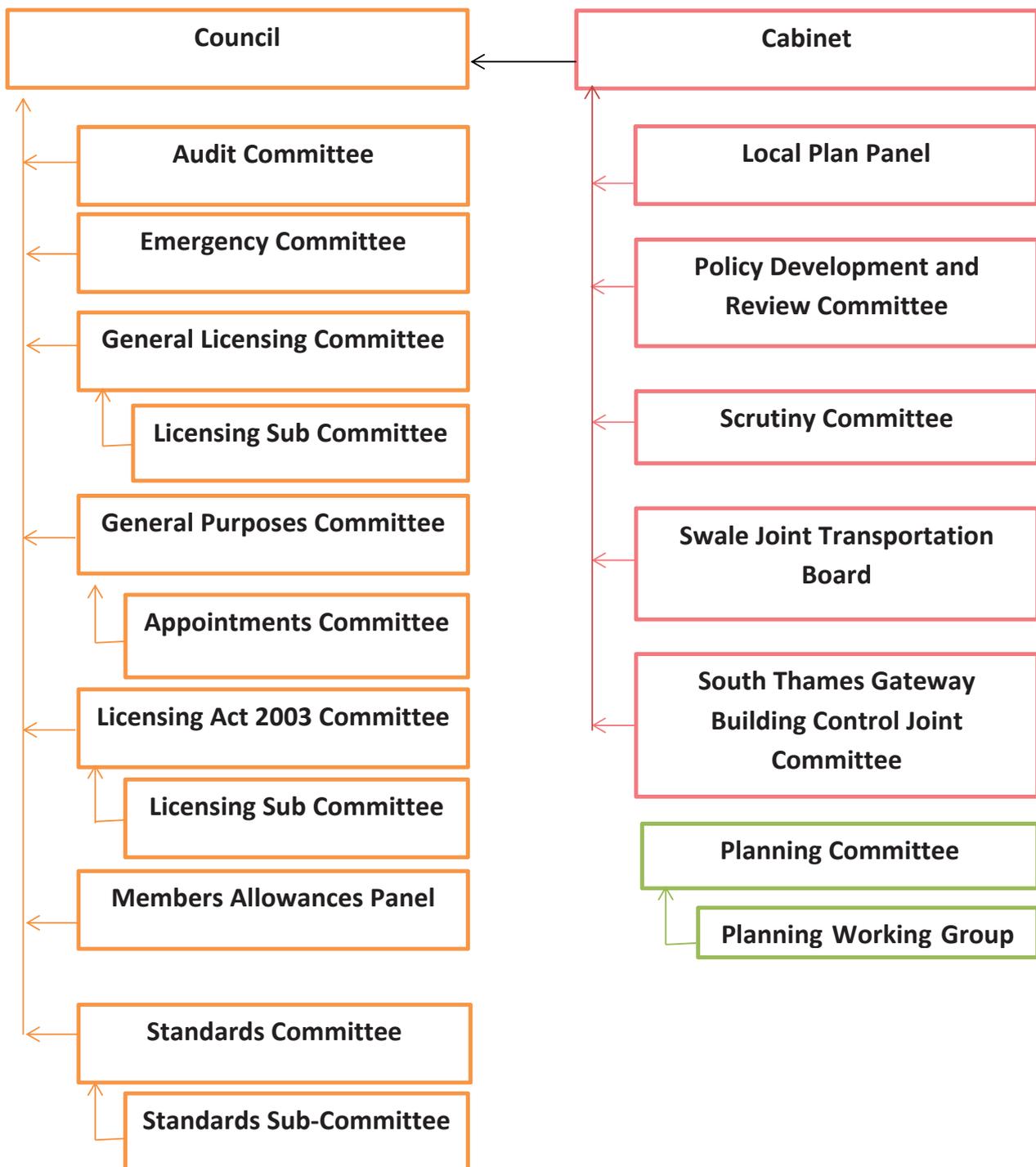


# Number of Councillors Per Ward



# 5. The Council

## Committee Structure



### How decisions are made

All 47 Councillors meet together as Full Council to decide on specific policies and governance issues and to agree the budget each year. Council appoints the Leader and the Leader then appoints the Cabinet made up of up-to 9 Cabinet Members. This is known as the strong leader model. The current structure is the Leader plus 6 Cabinet Members. Each Cabinet Member has a specific area of responsibility called a 'portfolio'. The current portfolios are: Leader; Planning; Finance and Performance; Housing and Safer Communities; Health and Wellbeing; Environment and Rural Affairs; and Regeneration. All portfolios also have a Deputy Cabinet Member. The Deputy Cabinet Member has no voting rights on Cabinet.

Any Member may attend and speak at a Committee they do not sit on.

The Council has a Scrutiny Committee which monitors the decisions of the Cabinet and can call-in decisions for review. There are four regulatory (quasi-judicial) Committees: Planning Committee, Licensing Act 2003 Committee, General Licensing Committee and Standards Committee.

All Council meetings are advertised on the Council's website and open to the public except when considering confidential business. There are a number of meetings where members of the public may address the meeting under the Public Participation Rules in the Swale Borough Council's Constitution which can be viewed on the Council's website.

## **Constitution**

The Council has Procedure Rules which are set out in the Constitution and these govern the way the Council operates. Some of these are compulsory by law 'statutory provisions' and others are rules the Council has adopted to manage meetings and internal processes. Training on the Constitution and Code of Conduct is provided following an election. The Council's Monitoring Officer, Legal Services or Democratic Services team can give advice on Constitutional matters.

## **Code of Conduct**

The conduct of Councillors is formally governed by the Code of Conduct which every Council has adopted. The Code of Conduct sets out the rules that Members should work to. All Councillors are required to sign a Declaration of Acceptance of Office, which includes an undertaking to observe the Code of Conduct. Breaches of the rules may be considered by the Standards Committee. The Seven Principles of Public Life, which all Councillors must follow are:

- Selflessness
- Integrity
- Honesty
- Objectivity
- Accountability
- Openness
- Leadership

Members are also required to complete a Members' Interests Register which covers a range of personal interests, for example employment, ownership of property and membership of other organisations. This information is held by the Monitoring Officer and published on the Council's website. If you have an interest in an item being discussed at a meeting (i.e. it is registered on your form) then you will be required to declare this at the meeting. Depending on the nature of the interest there may be restrictions on whether you can speak and vote. Advice can be obtained from the Council's Legal Department. Further Information can be found at:

[www.gov.uk/government/organisations/the-committee-on-standards-in-public-life](http://www.gov.uk/government/organisations/the-committee-on-standards-in-public-life)

## **Representation on Outside Bodies**

Councils now deliver many services in partnership with other organisations and as a Councillor you may have the opportunity to be appointed to external boards, Trusts and committees, where you will act as the Council's representative, except in the case of a charity where you will be responsible to the charity. You may also be appointed onto local community bodies. Some current examples of organisations the Council appoints to include Action with Communities in Rural Kent, Swale Council for Voluntary Service and the Citizens Advice Bureau.

## **Recording of meetings**

The Council audio records some Council meetings. Currently the following meetings are audio recorded: Council, Cabinet, Planning Committee, Local Plan Panel and Swale Joint Transportation Board. The recordings are available to Councillors and members of the public on request.

In accordance with Government Regulations, any person attending a Council meeting is permitted to report on proceedings by way of filming, photography, audio recordings or social media. There are occasions where a Committee will be presented with confidential information, and the press and public will be excluded from the meeting for those items.

## 6. What support will I receive?

### Training

Following election, Councillors will receive a comprehensive Induction Guide containing lots of useful information to get you started. This will be followed-up with a Welcome Programme which will include a meet-and-greet with Senior Management, a tour of the third floor at Swale House and a 1-2-1 session with Democratic Services.

The Council provides a programme of training and briefing sessions which is developed on an annual basis by the Member Development Working Group. Examples of sessions include training for quasi-judicial committees, such as Planning and Licensing, Health and Safety, Constitution and Code of Conduct, Chairing Skills and Budget and Finance Training. Member briefings are arranged to keep Members informed of issues affecting the Borough, such as welfare reform and Sittingbourne Town Centre regeneration. Suggestions for training are always welcome and individual sessions can be arranged based on your specific learning needs.

As with meetings, the majority of training and briefing sessions are arranged for a 7pm start.

### Use of Council Facilities

As a Councillor, you will have access to a Members' Room, Political Group rooms which have a computer and telephone, and meeting rooms within Swale House which have facilities for presentations. You will be provided with a Swale Borough Council email address. Democratic Services will assist with day-to-day enquiries regarding Committees, Member Training and allowances. The Customer Service Centre will help with casework enquiries and directing you to the relevant department.

### Members' Allowances

As a Councillor you are eligible to receive an annual basic allowance which is divided into 12 monthly payments. For 2018/19, the total basic allowance was £5,115.30. You are also able to claim a mileage allowance for most Council meetings attended and certain roles are eligible for a Special Responsibility Allowance. The full rates and criteria for Members' Allowances are found in the Members' Allowances Scheme in the Council's Constitution. Allowances are designed to cover expenses incurred through your role as a Councillor; they are not intended as a salary.

The following can help you with information on how claiming Members' Allowances could affect the receipt of any benefits, based on your particular circumstances:

**General benefits advice – 0800 88 22 00 or [www.gov.uk/browse/benefits/entitlement](http://www.gov.uk/browse/benefits/entitlement)**

Members are also paid a monthly Information Communication Technology allowance (currently £15.76 per month) to assist with the costs of computer and telephone usage.

## 7. How do I apply?

To apply to be a Councillor, you will need to submit a nomination form, a consent form and home address form. These can be downloaded from the Electoral Commission website, and Electoral Services will also put a pack together which will contain additional information such as key dates. These can be obtained from Electoral Services from March 2019. There is no charge to stand as a Councillor in Borough Council elections.

You will also need to get your nomination paper signed by a proposer, a seconder and eight other people who are on the electoral register for the Borough ward in which you are standing.

The deadline for submitting nomination paperwork is 3 April 2019 at 4pm. It is recommended that you make an appointment with Electoral Services (01795-417558) for an informal check of your nomination paper before you submit it. You are encouraged to do this early in the process, rather than leave it to the last minute.

### Electoral Register

Candidates can apply for a free copy of the electoral register for the ward in which they are standing. The register lists residents who are registered to vote in the election at a particular date. The deadline for applying to register to vote is 12 working days prior to an election.

A form will be provided for this purpose in the nomination pack. Your request must be made in writing and must state whether you require a paper or electronic copy. The request must be made to the Electoral Registration Officer via the Electoral Services Team (details under Useful Contacts). Please be aware that by law, the register must only be used to complete your nomination form; help you campaign; and check that donations and loans from individuals are permissible. Please refer to Part 4 of the Electoral Commission Guidance for further information about this.

### Prospective Candidate Event

The Council is hosting an open session for prospective candidates on Wednesday 13 February 2019 at 7pm, at Swale House. This will be an opportunity to hear more about the nomination process, what it's like to be a Councillor and to hear from the Chief Executive and Monitoring Officer. Further information will be available from January 2019. Please contact Democratic Services on 01795 417330 or e-mail [democraticservices@swale.gov.uk](mailto:democraticservices@swale.gov.uk) if you would like to be kept informed about this event.

## 8. Useful contacts

### Swale Borough Council

For election queries including nomination papers:

#### Electoral Services

01795 417558

[elections@swale.gov.uk](mailto:elections@swale.gov.uk)

If you have any queries regarding this document, or to request copies of documents referred to in web-links please contact:

#### Democratic Services

01795 417360

[democraticservices@swale.gov.uk](mailto:democraticservices@swale.gov.uk)

### Other Contacts

Further information on the role of a local Councillor and the elections process can be found on the following websites:

Local Government Association: [www.lga.gov.uk](http://www.lga.gov.uk)

Gov.uk: [www.gov.uk](http://www.gov.uk)

Electoral Commission: [www.electoralcommission.org.uk](http://www.electoralcommission.org.uk)

### Parish or Town Councils

If you are interested in standing as a Parish or Town Councillor you are recommended to contact your Parish or Town Council directly, via <https://services.swale.gov.uk/meetings/mgParishCouncilDetails.aspx?Is=13&SLS=5&bcr=1>. If your query is about standing for the new Sheerness Town Council, please contact Electoral Services. Further information is also available via the Electoral Commission website and the Kent Association of Local Councils: [www.kentalc.gov.uk](http://www.kentalc.gov.uk)

