

The Buckinghamshire Council Liberal Democrat Group Standing Orders

1. AIMS

The aims of the **Buckinghamshire Council** Liberal Democrat Group shall be:

- a. To advance collectively the aims and objectives of Liberal Democracy within **The Buckinghamshire Council** through the expression of a co-ordinated and cohesive viewpoint and action.
- b. To secure the implementation of Liberal Democrat policies and principles applied to local needs.
- c. To increase the effectiveness of members as representatives of their constituents.
- d. To work with Liberal Democrats on other Councils and with the five constituent Buckinghamshire Local Parties on the fulfilment of local needs, the development of policy, and the election of candidates.

2. MEMBERSHIP

Full voting membership of the group is open to:

All Councillors elected to **The Buckinghamshire Council** as Liberal Democrats, (under the terms of the 1998 Registration of Political Parties Act), with the support of the Local Party.(*1)

Other Councillors who apply to join, who are accepted by a majority of the Group, who are accepted as members of the Liberal Democrats by the Local Party and who are approved as outlined in clause 8.13 of the constitution of the Liberal Democrats in England. All three conditions must apply.

Non-voting membership is open to:

- a. One or more representatives of each Local Party within the Council's area. The Group may invite other members of the Local Party(ies), either for a particular item, a meeting or indefinitely.
- b. Duly approved and/or selected prospective candidates for the Council.
- c. Prospective Parliamentary or Assembly Candidates or MPs, MEPs or elected members of National and Regional Assemblies and Parliaments from within the Bucks County Council area.
- d. Members of other local authorities representing wards/divisions wholly or partly within the Council's area.
- e. All members of the Group are expected to be members of the Liberal Democrat Party at all times.
- f. The Group may take out group membership of ALDC for all its members.
- g. Any member who has doubts about his/her future commitment to the Liberal Democrat Group should discuss the matter with the leader or other members at a

Group Meeting. A decision to resign from the Group should be notified to the Group Leader or Deputy Group Leader and to the Group Members before the appropriate Council Officer is informed or any public statement made.

- h. All Group Members shall ensure that they do not fall into arrears with Council Tax or Council House rent and do not incur any other debts that may cause political embarrassment to the group. Any councillor who finds themselves in such a position should notify the group leader of the circumstances at the earliest opportunity.
- i. A member shall be excluded from the Group if s/he has persistently conducted himself or herself in a manner seriously in conflict with the provisions of Paragraph 1 (Aims) or Paragraph 7 (Group Loyalty) of these Standing Orders. These provisions are subject to Paragraph 9 (Disciplinary Procedure) of these Standing Orders.
- j. A motion to exclude a councillor from the group must be passed by a two-thirds majority of the voting membership (as defined in 2a above) of the group present when the motion is debated. The motion must appear as a notified agenda item for the meeting. The councillor concerned has a right to attend and address the meeting and may be accompanied by another person (who must be a party member) as advisor if they desire.
- k. A Group Member charged by the police with a Criminal Offence shall automatically be suspended without prejudice from Group membership. If subsequently acquitted or the charges are dropped they shall be automatically reinstated. A group member found guilty of a criminal offence, or who accepts a caution, which does not disqualify them from council membership may be reinstated if a simple majority of the group present vote in favour of their re-admission on a notified agenda item.
- l. Where a member is under investigation by a Standards Committee the group should take action as they feel appropriate following the disciplinary procedure in Section 9.
- m. All group members shall set up a direct subscription payment as a donation towards party campaign activity. The rate shall be set by the local party(ies) covering the council area. A reduced rate or waiver can be made on an individual basis when election as a councillor has resulted in the loss of state benefits or caused financial hardship.
- n. All Group members shall complete and submit in a timely manner Public Service Contracts where the council requires their completion.
- o. All Group members shall complete and keep up to date their registrations on the council's register of interests.
- p. All Group members shall complete and keep up to date their registrations on the Group's register of interests held and maintained on behalf of the Group by the whip.

3 OFFICERS

The Group at the Annual Meeting shall elect the following officers:

- Leader (incorporating the Member Development Officer role)
- Deputy Group Leader (incorporating the Group Whip role)

- Group Chair
- Group Secretary (incorporating the Press Secretary role)
- Group Treasurer (if the group manages its own finances aside from the local parties)

Members to be nominated for positions at the Annual Meeting of the Council:

- Candidates for Executive Members with portfolios (in addition to the Group Leader and Deputy Leader) - for groups in Opposition this will be members of the Shadow Executive, or Shadow Spokespersons.
- Spokespersons (or Candidates for Committee Chair) for all scrutiny, quasi-judicial and other Council Committees.
- Other members of scrutiny, quasi-judicial and other Council Committees.
- Nominations to serve on outside bodies and joint authorities.

4 DUTIES OF OFFICERS

- a. The Group Leader will be responsible for the general co-ordination of Liberal Democrat initiatives and Group activity. The Leader will be the spokesperson for the Group where necessary and the Group's nominee for Council Leader.
- b. The Leader will be the Group's spokesperson on the Executive Committee of the Council, if the Group has members on that Committee. The Leader will be responsible for ensuring that all members receive an annual development and performance review.
- c. The Deputy Leader will undertake all the duties of the Leader in the absence of the Leader.
- d. The Group Chair will chair all group meetings and will co-ordinate group social activities.
- e. The Secretary will be responsible for Group cohesion and organisation and for liaison with the other political parties. S/he will be responsible for calling Group Meetings, preparing and circulating minutes and agendas and other administrative duties connected with the Group, including the conduct of group elections. The Secretary will also be responsible for recording the presence of non-Councillors at Group meetings.
- f. The Press Secretary is responsible for ensuring that Liberal Democrat initiatives are properly publicised, as well as Group responses on topical matters.
- g. Copies of press statements of significance to the Group as a whole shall be kept by the Press Secretary. Members must give him/her and/or the Group Leader a copy of such releases before issue.
- h. The Member Development Officer is responsible for maintaining the training records of members and coordinating the provision, communication of and uptake of training as required to meet their identified training needs.

- i. Group Whip(s) shall be responsible for ensuring that the agreed voting intentions of the Group are communicated to individual councillors. They will also be responsible for reviewing attendance at Full Council and Committee meetings by councillors and presenting a report to the annual group meeting on councillors' attendance records.
- j. Where the council operates a system of public service contracts (reports) the Whip(s) shall monitor and report to the group on their submission in a timely manner by group members.
- k. The Group Treasurer shall be responsible for ensuring the collection of Member Contribution (Tithes) and the reconciliation of all bills and financial transactions of the group for its political activities and organisation. They will also be responsible for the annual preparation and submission and statement of the accounts in line with Federal Party regulations.
- l. This role can be deferred by simple majority vote at the AGM to the local party executive committees as appropriate if the Member Contribution is paid to the local party and election or publicity material or other costs are funded by the local parties or candidates thereof individually.

5. ELECTION OF OFFICERS, SPOKESPERSONS AND OTHER COUNCIL NOMINATIONS

- a. All officers and group spokespersons shall be subject to Annual election at the Group's Annual Meeting. The Group Secretary will circulate a list of positions to all group members 21 days before the Annual Meeting.
- b. Nominations must be submitted in writing to the Group Secretary 14 days before the Annual Meeting. A list of valid nominations will then be circulated to all members not less than seven days before the Annual Group Meeting.
- c. Where the Annual Council elections occur so close to the Annual Council meeting to make this timetable impractical a shorter timetable will operate.
- d. In this case the Secretary shall circulate an amended timetable to all councillors and selected candidates at the Group meeting preceding the Annual Elections. In this case the close of nominations shall be not less than 48 hours before the meeting.
- e. Postal or proxy votes can be requested (in writing) from the Returning Officer, other votes must be cast in person by secret ballot at the Annual Meeting.
- f. Postal Vote applications must be received 14 days before the elections and postal vote papers will be dispatched not later than seven days before the Annual Group Meeting. Where the shortened timetable set out in section 5b) is in operation postal votes will not be available.
- g. A Returning Officer from outside the Group Membership may be appointed to count the votes.
- h. Where there are more than two candidates for a position, voting will be by the Single Transferable Vote method.
- i. For Groups in control (or with a shadow Executive the group) the Executive spokespeople can be elected either:

- j. post by post by the alternative vote system or
- k. as a block by STV in which case the Leader will then decide on the portfolios to be allocated to each elected Executive or shadow executive member.
- l. The re-opening of nominations will only take place at the Annual Meeting if there are no valid nominations on the table.
- m. In the event of a tied vote, when there are only two candidates, lots will be drawn to achieve a result.
- n. The Returning Officer shall be responsible for the interpretation of these Election rules and his/her decision will be final.
- o. The Group Leader must abide by result of any election held under clause 5 when appointing his/her executive. If an incumbent group leader fails to be re-elected to that position, they must also resign their position as council leader, if they hold that post. Failure to apply either of these rules will automatically start the disciplinary procedure outlined in section 9 of these standing orders.

6. GROUP MEETINGS

Members are expected to attend all whole Group meetings and meetings of the committee or portfolio team that they are members of. If they are unable to attend they should inform the Group Secretary or relevant Spokesperson.

A quorum at any group meeting shall be one third of the voting membership of the group (or committee or portfolio team).

Agendas and any relevant papers for group meetings should be circulated seven days in advance of the meeting; no items for decision can be taken under AOB, except in exceptional circumstances with the agreement of two thirds of the group.

Annual Meeting:

The Group will hold an Annual Meeting prior to the Annual Meeting of the Council:

To elect Group Officers

To decide on Committee places (including Executive members and portfolio holders where appropriate), Committee spokespersons (and shadow portfolio spokespersons where appropriate) and representation on outside bodies (with elections as detailed above if necessary).

Ordinary Meetings:

The Group will meet at least once prior to every meeting of the Council to discuss the Agenda for the Council Meeting and other business brought forward by Group Members.

The Group at either the pre council meeting or quarterly group meeting will ask Committee Spokespersons/Chairs (including, where appropriate, members of the Executive and the spokesperson or Chair of the Executive Committee) and/or shadow portfolio spokespersons and/or portfolio holders to report on and answer questions concerning their committees, portfolios

and/or areas of scrutiny and will make arrangements for questions/statements/speeches by Liberal Democrat group members in individual debates.

The members of each scrutiny committee may meet prior to each scrutiny meeting to agree a group position or to obtain a briefing from an officer of the Council or the group portfolio holder.

The Group will ensure that members present a united public face on matters of concern to Liberal Democrat policy and principles in so far as may be compatible with individual conscience.

The Group will prepare for Liberal Democrat initiatives at future meetings of Committees or Council.

The Group will meet at least once during every three months to discuss Group strategy, policies member development and business brought forward by Group Members.

Special Meetings:

Special Group Meetings may be called by not less than one third of the voting group membership (or two members - which ever is larger) who shall submit a duly signed request to the Group Secretary, or at the request of a majority of Officers of the Group.

Such a meeting must be held within 14 days of the Group Secretary's receipt of the request. Seven days' notice of the meeting must be given to the rest of the Group.

Declarations of Interest:

The Group will operate the National Code of Local Government Conduct, in respect of all formal Group Meetings, particularly in regard to the declaration of pecuniary and non-pecuniary interests of members.

Members (both voting and non-voting) declaring a pecuniary interest in a matter should leave the room during its discussion at group meetings.

Conduct of Members at Group Meetings:

All members of the group shall behave towards each other with respect and civility and shall refrain from intimidating or abusive behaviour, foul language or unwarranted attacks on the integrity of other members.

Any member who fails to conduct themselves appropriately in a group meeting may be excluded from the remainder of that meeting by a simple majority of those present.

7. GROUP LOYALTY

- a) Members are expected to publicly support all Group decisions, except where those decisions are exempted under Paragraph 7e below. Decisions are of three types:
- b) Members are expected to support Group decisions on "organisational matters" such as the appointment of members to Committees, nominations of members as Chairs, Vice-Chairs of Committees (including the appointment of, Chair of Council and their Deputy) and appointments to outside bodies.

- c) On matters of policy fully discussed and agreed by the Group, members are asked to support the Group. The Group recognises the impossibility of preventing any individual members opposing the group on matters of deeply held conviction or conscience, but members are required in these circumstances to inform the Group Leader or Group Whip in advance and asked to refrain from speaking or voting against the Group position.
- d) Members are asked to support Liberal Democrat Councillors on local ward matters that have little or no impact politically on other areas of the Council. Before raising matters in a Committee relating to an area without Liberal Democrat councillors, members are asked to find out the nearest Liberal Democrat councillor's views, or failing that, the relevant Local/Branch Party's views.
- e) If a member is unable to support the Group on any matter falling within the above three categories, s/he should inform the Group Secretary or Committee Spokesperson or Group Leader, or Group Whip or ward councillor as appropriate in advance.
- f) Group members who fail to attend a Group meeting, and who do not make their intentions known on matters discussed at the Group Meeting, are expected to abide by Group decisions. It is not sufficient to abstain from voting in these circumstances.
- g) All Notices of Motions for the council should be agreed by the group before submitting them. In an emergency, consultation with the Group Leader is sufficient.

Members of the following committees will not be whipped into obeying a Group line:

- Planning committees or the Executive Committee if and when it acts as the Planning Committee;
- Licensing committees and panels;
- Standards committees;
- Scrutiny committees. Members of Scrutiny Committees are expected to consider their actions in the light of Paragraph 7a and the Group's Aims (Section 1); and Paragraph 6 e iii
- Other committees with a quasi-judicial function.

Group Members (both voting and non-voting) shall respect the confidentiality of any politically or personally sensitive information they receive from other members of the group or from Council Officers. In particular all Group agendas, minutes and reports shall be treated as confidential.

This confidentiality provision shall not apply to any information that is already in the public domain, where the person from whom the information came has given express permission for disclosure or where the information would be available under any Freedom of Information legislation in force at the time.

8. ATTENDANCE AT COUNCIL AND COMMITTEE MEETINGS

All members are expected to attend full Council Meetings.

Any member who cannot attend a Council Meeting must inform the Group Secretary or Group Whip before the meeting. Any member who cannot attend a Committee meeting must inform the Committee spokesperson beforehand.

Members are expected to attend the whole of the Council or Committee meeting and if they have to unavoidably leave early or arrive late they should inform the Group Leader/Committee Spokesperson in advance of the meeting. Members should not leave early without the express permission of the Leader or Committee spokesman.

9. DISCIPLINARY PROCEDURE

The Group shall ensure that it complies with any procedures put in place by the regional or state party to ensure it remains a recognised council group under the constitution of the Liberal Democrats in England.

If a member of the Group breaks these Standing Orders or brings the Liberal Democrat Party (“the Party”) into disrepute by their words or actions the following procedures will apply.

Where the member is accused of serious misconduct or behaviour serious enough to warrant expulsion from the party then it may be appropriate to move straight to step two or three.

Step 1: The Group Leader, Group Chair and Chief Whip (or, in the event that the Group Leader, the Group Chair or Chief Whip are unavailable or the subject of the disciplinary procedure, their Deputies as appropriate) will meet with the member to discuss their actions and possible reasons for them.

After investigations they shall make a factual report of their findings to the Group and they or any two group members may propose that one of the following actions be taken at the subsequent meeting:

- Find no fault,
- Issue a verbal warning (minuted in writing); or
- Issue a written warning.

Any decision must be passed by a majority of group members present.

Step 2: If either a verbal or a written warning has been given as set out in Step 1 above and the action recurs within four years from the date of the warning or is considered so serious that expulsion from the Group or the Party is being considered, then the matter will be referred to a panel consisting of the Group Leader, the Group Chair and the Chief Whip together with two members of the Local Party Executive from the Constituency containing the ward represented by the Councillor.

When the Group Leader or the Group Chair are the subject of the disciplinary procedure then the Deputy Group Leader or Deputy Group Chair shall act in his or her place. This panel may hear from witnesses and must allow the member to make representations in person and to be accompanied by another person (who must be a member of the party) as advisor if they require.

After investigations they shall make a factual report of their findings to the Group and they or any two group members may propose that one of the following actions be taken at the subsequent meeting:

- Find no fault,
- Issue a written warning; and/or
- Require compliance with a stated contract of behaviour the breaching of which will result in the immediate reconvening of the panel to recommend further action, or
- Suspend the member from the Group for a stated period not exceeding one year from the start of the suspension, or
- Exclude the member from the Group in which case the procedure set out in Clause 2g of these Standing Orders shall apply.

Step 3: If the action persistently recurs or is considered so serious as to warrant expulsion from the Party the matter will be referred to the appropriate local party executive to be dealt with in accordance with the Constitution of the Liberal Democrats and they will be suspended from the group pending the outcome.

10. REGISTER OF INTEREST

A Register of Interests of all voting Group Members updated annually shall be kept by the Group Secretary - this will go beyond the statutory requirements and include membership of social and other organisations.

Members should also enter their interests on the Council's Statutory Register of Interests when they are first elected and make appropriate changes to the registers as their interests and legislation requires.

Members should inform the Group Leader and Whip of any problems or concerns over their declaration of interests.

11. GROUP FINANCES

Each voting member of the Group will be required to pay to a member contribution to the Local Party - the amount to be set and agreed by the local party(ies) named in 1d. Any member whose contributions are not up to date at the time of the Group's AGM shall be ineligible to vote.

12. NEWSLETTERS/FOCUS LEAFLETS

All Liberal Democrat councillors are expected to keep in touch with their local residents by means of newsletters/Focus leaflets at least bi-monthly.

Newsletters should be issued regularly outside election periods and copies of all newsletters should be sent to the Group Secretary who shall maintain a file available to all group members.

13. ELECTION PREPARATIONS

The Group shall make arrangements to act in conjunction with the local Party/ies in the approval and selection of candidates for **The Buckinghamshire Council** elections and by-elections and in the preparation of a manifesto for the **The Buckinghamshire Council** elections.

14. TRAINING AND DEVELOPMENT

Members shall receive an annual appraisal of performance and training needs from the group.

Members will agree political development objectives for the year with the group officers.

Members will agree a personal training and development plan for the year ahead with group officers.

15. AMENDMENTS TO STANDING ORDERS

Amendments and additions to these Standing Orders can only be made at Group Meetings and by a two thirds majority of the voting membership present. Notice of amendments must be received in writing by all Group members a minimum of seven days before consideration by the Group.

16. INTERPRETATION OF THESE STANDING ORDERS

On items where these Standing Orders are silent the provisions of the Federal Liberal Democrat Constitution shall apply. In case of dispute then the regional or state party shall be asked to interpret these standing orders and their decision shall be final.

Last updated and agreed: 10th April 2018