



Essex County Council

ESSEX COUNTY MEMBER HANDBOOK

July 2025

This document is issued by
Democratic Services
Essex County Council

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The information contained in this document can be translated, and/or made available in alternative formats on request.

As this document will only be available electronically, it will be updated on a regular basis.

Preface

This booklet is designed to give all members – both existing and newly-elected – up-to-date information about the County Council and its activities.

Essex is a vibrant place with an exciting and challenging future and the 75 members of the County Council play a vital role in ensuring that Essex is a good place to live, with world class public services and a thriving economy. The range of services which the County Council delivers, both directly and with partners, is wide, but this handbook will help to explain more about the nature of the organisation and your role within it.

As a County Councillor you will have a direct link to your communities. We therefore hope that you will use this knowledge in helping Essex County Council best serve its customers.

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1. Introduction to the County Council

1.1 Introduction

This Handbook has been designed to get you started as a member of the County Council and to support you throughout your term of office. The Handbook contains important information on some of the key issues you will face as a member.

As this handbook is electronic, it will be updated when required and distributed electronically to members. It can also be found using the [Member Portal](#).

1.2 Role of an Essex County Councillor

Members work to improve the quality of life for the people who live and work in Essex. The people within your division will look to you for assistance in resolving their problems and signposting them to others who can help them.

The role is varied and it is up to each member to choose how they work, however, the main responsibilities can be summarised as:

- to fulfil the statutory and locally-determined requirements of an elected member;
- to participate effectively as a member of any committee or panel to which you are appointed;
- to participate in the activities of an outside body to which you are appointed, representing the policies and practices of the Council;
- to participate in the scrutiny or performance review of the services of the Council;
- to provide a link between the Council and the community;
- to contribute constructively to open government and democratic renewal, maintaining the high standards of conduct and ethics expected of you;
- to attend member briefing sessions and to attend member development sessions where appropriate, to help give you the knowledge to support your residents effectively.

For further guidance on the role of a member, see Article 3 of the Council's Constitution.

You are likely to receive a great deal of correspondence, whether by post, email, or telephone. Some members also choose to hold a surgery where residents can seek help in resolving local issues.

Members may be appointed to the Cabinet or committees. Some members are also appointed to represent the Council on external bodies, whether locally, regionally, or nationally – these are known as outside or other bodies.

You will be expected to attend Full Council Meetings, and if you are appointed to a committee or outside body you will also need to dedicate time to attend these additional meetings and read the material provided. This will be in addition to your primary role. It is up to you to decide how to allocate the time to undertake this work; staff in Democratic Services are there to assist you in this.

1.3 Mentoring for Members

During your first few weeks, you may have the opportunity to have a mentor, who will be an experienced member. They will be able to offer advice and guidance to you, helping you settle into the role. If you do not have a group or group office, an officer buddy will be allocated to you, who will provide information and advice on the County Council.

If you are interested in having a mentor or officer buddy, or you wish to become a mentor yourself, please contact your group office or email democratic.services@essex.gov.uk.

1.4 Chief Executive

The Chief Executive of Essex County Council is Nicole Wood. Nicole's office is located on E2.

Executive Support Officer to the CEO:

Lucy Willis, Telephone 03330137756

Lucy.Wills@essex.gov.uk

1.5 Chairman of the Council

The Chairman of the County Council is Councillor Ray Gooding, Stansted division. The Chairman's Office is located in C102.

Civic Services Officer:

Karen Fitzpatrick 033301 36216

karen.fitzpatrick@essex.gov.uk

Room C102

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2. Local Government

2.1 The structure of local government

Local government in Essex is currently a 'two-tier' system. County and district authorities operate under separate, independently elected councils and have their own separate responsibilities. The County Council has wide-ranging functions and also has specific reserved powers; the district councils are not, however, subordinate nor are they responsible to the County Council for the functions which they exercise in their own right.

Parish, including town, councils exist on a statutory (legal) basis. Members are elected for a term of four years and councils are funded principally by an annual precept. Parish councils can apply for funding such as grant and funding awards, but they do not receive funds direct from Central Government, as principal (county and district) authorities do.

Section 77 of the Local Government and Public Involvement in Health Act 2007 extended the wellbeing powers of the Local Government Act 2000 to cover eligible parish and town councils, enabling them to do anything which they consider likely to promote or improve the economic, social or environmental wellbeing of their areas.

You can access more information on our website here: [County council and local councils: Overview | Essex County Council](#).

2.2 Local authorities in Essex

There are twelve district councils (four with borough status, and two with city status), and just under 300 parish/town councils within the administrative County of Essex.

Southend and Thurrock are unitary authorities and lie outside of the administrative area of Essex County Council.

There are a number of complex issues across Essex. To help overcome this there is a lot of partnership working between different local authorities.

Although recognising the pressures on the time of local members, the County Council encourages members:

- to attend meetings of local councils and/or district associations in their electoral division whenever necessary; and
- to maintain close contact with district (borough/city) councillors within your division.

2.3 Local government finance and the County Councillor

This section gives a brief outline of the responsibilities of members according to the law for managing the finances of the County Council.

Members are protected from personal legal liability for actions of the County Council under Section 39 of the Local Government (Miscellaneous Provisions) Act 1976. However, this protection is qualified by the legal requirement that the decisions of members must be lawful and reasonable.

A local authority can normally only carry out functions for which it has been expressly given authority by an Act of Parliament. Other functions are “*ultra vires*” – beyond the powers of a local authority.

The exception to this is the power to promote wellbeing, which was introduced under Section 2 of the Local Government Act 2000. Local authorities have the discretionary power to do anything which is likely to achieve the promotion or improvement of the economic, social or environmental wellbeing of their area – providing that the action is not prohibited, restricted or limited under other legislation.

The law makes it clear that decisions taken by members must be reasonably arrived at and all relevant matters considered. Members must be able to demonstrate that this has occurred, and thus need clear written reports and advice before they agree on a particular course of action.

If members wish to dissociate themselves from a decision or action which they believe is *ultra vires* or unreasonable they must ensure their dissent is known and recorded. The Monitoring Officer of the County Council holds this responsibility.

The Local Government Act 1988 allows external auditors to ask the courts to review any decision taken by members of a local authority which they feel may be contrary to the law, or “unreasonable” under the law.

Section 151 of the Local Government Act 1972 specifies that every authority shall make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs.

The Council’s Director for Finance is the designated officer for this purpose, and has statutory duties in relation to the financial administration and stewardship of the Council that cannot be overridden. These statutory duties arise from:

- Section 151 of the Local Government Act 1972
- Section 114 of the Local Government Finance Act 1988
- Local Government and Housing Act 1989
- Local Government Act 2003
- Accounts and Audit Regulations 2003

The Local Government Finance Act 1992 requires the County Council to set its budget and notify the District Councils of the level of its Council Tax before 1 March in the financial year preceding that for which the tax is set. The

Council's Accounts must be published by 30 June and they must be made open for inspection by the public for 15 working days before the final audit each year.

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3. The County Council

3.1 The Council's decision-making structure

The Council, which consists of 75 members representing 70 electoral divisions, meets five times a year. Essex County Council has adopted a Cabinet with a Leader and an overview and scrutiny model. This means the work of the Council is directed by the Cabinet, comprising of 10 Cabinet Members, all with specific portfolio responsibilities and delegated decision-making powers.

The Council's Constitution sets out who can decide what. Cabinet Members are responsible for exercising Executive Functions. Officers are responsible for the operational procedures related to decisions made by the Cabinet.

Cabinet Members give strategic direction as to how policies are implemented. Officers are responsible for the management of the Council and ensuring the implementation of agreed policy. Only one Cabinet Member can take any one decision. There is no such thing as a joint decision; however, two or more Cabinet Members may consult each other before taking a decision, with the option of the Cabinet as a whole endorsing the decision.

The Scrutiny Board gives strategic direction to the scrutiny function. The Executive Scrutiny Committee and the policy and scrutiny committees have an important role in policy development and also in scrutinising areas of the Council's service within each committee's remit.

All Cabinet Member decisions, including those taken within Cabinet, are subject to call-in. Any elected member can ask for a decision to be called-in. However, if the member seeking the call in is not a member of the relevant scrutiny committee then the call in must be supported by:

- * Any member of the relevant Scrutiny Committee
- * Any four Councillors (including the member calling in)
- * The Local Member with the agreement of the Chairman of the Relevant Scrutiny Committee - if the decision particularly affects your division.

If this is done, the decision is immediately put on hold until the call-in is resolved. All decisions can be found on the [Forward Plan](#), which is available on the [Committee Management System](#).

If a decision is called-in, the following procedure then takes place:

1. If the Cabinet Member and the member(s) who have called in the decision agree, an informal meeting can be held with officer support to see if the issue can be resolved.
2. If the issues cannot be resolved, and if the next meeting of the relevant Scrutiny Committee is in the next 10 working days, the decision is formally discussed.
 - a. At the meeting, the Committee votes either;
 - i. To let the decision stand
 - ii. To refer the decision back to the Cabinet Member
 - iii. To refer the decision to Full Council

Witnesses may be called upon to give evidence at the committee meeting. These witnesses can be officers, members of the public, or representatives from partnership bodies.

Authors of the decision and senior managers should be prepared to provide any information requested in relation to the decision for either the informal meeting, or the full committee meeting.

For further information, or if you need assistance, you may contact the Democratic Services helpline: democratic.services@essex.gov.uk

3.2 Vision for Essex

The County Council has developed a plan for 2021-2025 called [Everyone's Essex](#).

A vision for Essex, called the [Future of Essex](#) has been developed with partners.

Other key plans and strategies can be found on our website here <https://www.essex.gov.uk/about-council/plans-and-strategies>

3.3 The Budget

The Council has a legal responsibility to operate within a balanced budget while maintaining appropriate reserves, and a moral responsibility to minimise the burden on its taxpayers. It follows that the Council must continuously and endlessly seek new efficiencies and ever higher measures of achievement.

The core function of Essex County Council is to make a positive contribution to the people, businesses and communities of Essex by providing the most effective and efficient services to the residents of the County.

The Council agrees its budget each year in February.

The Council's funding must meet the needs of this and future years across areas such as education improvement and school places, highways, and social care to vulnerable adults and children.

3.6 Risk Management

The County Council is committed to adopting best practice in its management of risk to ensure retained risk is of an acceptable and tolerable level in order to maximise opportunities and demonstrate it has made full consideration of the implications of risk to the delivery and achievement of its objectives and outcomes. The Council is clear that the responsibility for managing risk belongs to everyone and that there needs to be an appropriate level of understanding of the nature of risk by all stakeholders.

As a corporate body, the Council is obligated to protect its material assets and to minimise its losses and liabilities. It recognises the need to equip its workforce with the skills and expertise to manage risk on its behalf and provides the necessary resources to ensure this can be delivered. The Council's risk management objectives are a long-term commitment, inherent to good governance practices and fully supported by Senior Officers and Members.

The Council has a 'single' approach to managing risk across the organisation with an adopted risk management strategy as part of our overall risk management framework. The key risk functions of the Council work closely together to ensure risk is managed effectively. The focus of good risk management is the identification and treatment of risks. Its objective is to add maximum sustainable value to all the activities of the organisation. It aids the understanding of the potential upside and downside of all those factors, which can affect the organisation's ability to deliver its objectives and other influencing factors which can accelerate or reduce their probability and impact.

Roles and responsibilities of members with regards to risk:

1. Approving the Council's risk management strategy at the Audit, Governance and Standards Committee and ensuring that risk management is delivered on behalf of the Cabinet Members, by the Chief Executive and the Corporate Management Board.
2. Overseeing and challenging the Strategic Risk Register at the Audit, Governance and Standards Committee, including monitoring details of the actions taken to mitigate the risks identified and ensuring that this is regularly monitored.
3. Approving the Annual Risk Assurance Statement presented to members of the Audit, Governance and Standards Committee which feeds into the Council's overall annual governance processes.

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4. Full Council meetings

4.1 Purpose

Full Council comprising all 75 Members of the Council meets to decide the Council's overall policy framework and the Constitution, as well as the annual budget. It appoints the Leader of the Council, who then appoints up to nine other Cabinet Members. It also appoints members to the various committees including overview and scrutiny committees, whose purpose is to scrutinise the actions of the Cabinet and other matters.

4.2 Meetings

Council meets five times a year; February (budget setting), May (annual meeting), July, October, and December. Meetings usually take place on Tuesdays, commencing at 10:00am.

4.3 Procedure

Meetings of Full Council are formally regulated by Article 6 and the Standing Orders of the Council as laid out in the [Constitution](#). Of most relevance to members are Standing Orders 16.8, 16.9 and 16.12, on motions, rules of debate and questions.

4.4 Voting

The arrangements for voting are covered by Standing Order 16.10. Except in specified circumstances (such as promoting or opposing a Parliamentary Bill) all questions coming or arising before a local authority are decided by a majority of the members of the authority present and voting thereon. The person presiding at the meeting has a second or casting vote.

Standing Order 16.10 makes provision for a named vote to be taken, where this is requested by 10 members standing in their places. In addition, any Member may request that the minutes indicate his or her manner of voting even if there has been no named vote.

4.5 Record of Attendance

The Local Government Act 1972 provides that the names of the members present at a meeting of a local authority shall be recorded.

4.6 Motions

Standing Order 16.8 gives details concerning the permitted scope of motions, arrangements for giving notice and form of response, together with the discretion available to the Chairman in cases of urgency. The associated rules of debate are set out in Standing Order 16.9.

4.7 Questions at Council meetings

A member may ask questions on any matter relevant to the Council's business after notice (Standing Order 12) and the Council agenda also makes provision for questions to be asked without notice of the Leader, Cabinet Members and Committee chairman.

Representatives of the Police and Crime Panel and the Fire Authority attend Council meetings, and a member may ask of them questions relevant to their respective bodies.

4.8 Conduct at Council meetings

The following tips will help you get the most out of attending Council meetings.

- Members should be smartly dressed for the meeting and the meeting will take place in a business-like manner. Only water may be taken into the Chamber. No other food or drink should be taken into the Chamber.
- There is a seating plan for the Chamber. Members must sit in the seat allocated as otherwise it is difficult for the Chairman to identify correctly who wishes to speak.
- Prior to the meeting there will be a brief session of prayers. Please be seated in the Chamber promptly at 10am prior to the Chairman arriving in the Chamber. Members will be asked to stand for prayers. There will be no admittance to the Chamber during prayers. Once prayers have been concluded any remaining members can quietly enter the Chamber.
- Each place in the Chamber is provided with a microphone. They have been set at the best place to be used by a member standing to speak so there is no need to adjust them. When you are called to speak, you should switch on the microphone using the button in the metal plate and when the red light is on stand and speak clearly over the microphone addressing your comments to the Chairman. Please make sure you do not obstruct the microphone by holding your papers in front of it when speaking. When you have finished speaking, please turn off the microphone and resume your seat.
- The business of the meeting will be conducted in accordance with the Agenda for the meeting and no other business will be conducted. The meeting will be managed in accordance with the Council Standing Orders set out in Part 4 of the Constitution. In the event of a disagreement, the Chairman's ruling is final.
- If you wish to speak on a particular item, you should indicate by raising your hand. A record of those wishing to speak will be made by the Vice-Chairman and the speakers will be called in the order noted. Please do

not speak until you are called. You will have three minutes to make your point. You can only speak once on each item.

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5. Services to Members

5.1 Group offices

The immediate source of support to members is provided through the group offices. The group offices act as a first point of contact for members and provide a range of assistance to members.

5.2 Information Technology (IT) Support

The County Council is committed to using modern IT and communications facilities to assist members in all aspects of their role as a County Councillor and to reduce the amount of paper involved.

Computer equipment and services

The provision of IT equipment is standardised across the Council and is provided in-house. The Council's IT offer will be explained to you when you join. The standard offer is one laptop. If you have any specialist needs this will be taken into account.

This equipment is supplied specifically to you for use on County Council business only and must not be used by yourself, or any other person, for any other purpose. The equipment provided will be set up with the same security arrangements as for staff equipment. This protects the Council's network and ensures that you are adhering to the Council's policies and the various protocols agreed with other agencies for the sharing of information. As an example, you will not be able to load software yourself. Any request for additional software would have to be considered following the submission of a service request.

When you cease to be a member, you will immediately be required to return all equipment and software supplied to you, and other services will require termination.

Support

All support for your IT services at County Hall are provided by the [IT Service Desk](#) can be contacted on 03330 135953.

If you feel you would benefit from additional IT training please contact democratic.services@essex.gov.uk in the first instance.

For general queries you should liaise with your group office or if you are not a member of a group democratic.services@essex.gov.uk.

Security

Policies on information security and communications can be found on the ECC intranet under [Data protection and information management | Essex Intranet](#). Compliance with the Council's policies on information security and communication ensures that Essex County Council meets its legislative and other obligations for information security. The policies and standards give clear advice on security issues including prevention of theft, access security, avoidance of viruses, and health and safety.

Members are reminded for security reasons not to disclose their password to any individuals. Information security training is offered to members periodically and upon request.

Basic IT information

The intranet is a private network only available to the Council and is used to share information electronically within the authority. This differs from the internet, which is within the public domain.

The [Member Portal](#) provides links to all the information you might need as a member. It is available via any device however some of the links which may contain confidential information will only be accessible when you are logged into your ECC account.

Email is managed by a programme called Microsoft Outlook. Information and training courses on this programme can be acquired from your group office, and democratic.services@essex.gov.uk.

All members share the Members' room: please remember to log off of the computers in this area or your information will be at risk.

5.3 County Hall

Security

General Staff access is as follows Monday to Friday 06:30 – 2000 hours
Saturday 08:30 – 12:00 hours

Many parts are accessible to the public, and Members may be asked by staff to identify themselves in these areas.

Since theft occurs – even within the secure areas – members should keep their personal belongings with them. Briefcases or handbags should not be left unattended as they are at risk of being stolen or may be mistaken for suspect packages.

You will be provided with an ID Security Pass giving you access to County Hall. Lost passes should be reported to security immediately so they can be deactivated.

Emergencies

If the emergency alarm is sounded then everyone is required to leave the building immediately by the nearest fire exit, and without using the lifts. All security doors are automatically released. The assembly point for the members room is in the Chelmsford Cathedral grounds. If the continuous alarm sounds when visiting other parts of the building, other assembly points are identified on Fire Safety notices.

A fire alarm test is carried out each Tuesday at 8:30am.

If you discover a suspicious or unattended parcel/package:

- do not touch, interfere with or move the item, or use your mobile phone or radios in the vicinity
- calmly move away and alert the local security or reception
- advise everyone to clear the immediate, area and keep others away

If you receive a telephoned warning of a bomb report details immediately to the MITIE Security Team (County Hall only).

Medical Services

A number of staff throughout the building are designated first aiders. Check Health and Safety notice boards for details of local first aiders or contact democratic.services@essex.gov.uk.

For an ambulance, dial 999. Ambulance control should be advised that ambulances report to the car park attendant at the Duke Street entrance, and arrangements need to be made for them to be met there and taken to the injured person. The MITIE Security team must also be informed on 03330 132506 (County Hall only).

A number of meeting rooms are now fitted with a panic alarm system, which can be activated during an emergency, and the appropriate team from County Hall will respond.

The Council Chamber, other meeting rooms and the Members' Suite

The Council Chamber and three of the committee rooms are located on the first floor of C Block, Committee Room 4 is on the second floor of C Block, and there are three other committee rooms in B Block (which is adjacent to the Members' Courtyard). The most direct access to C Block is from the Duke Street entrance.

The Members' Suite is located on the first floor of C Block, and comprises:

Members' Room: executive area with desks, IT equipment (computers, copying, scanning and printing facilities) and member development materials.

Members' Court: this is located off the Lounge and Members' Room.

Private Rooms: are provided for the Chairman, Leader, Deputy Leader and the principal political groups.

Toilets: toilets specifically for Members are located off the Members' Courtyard.

5.4 Car parking

There is limited car parking available at County Hall for Members. To use the car park you will be issued with a car parking disc which you will need to display when parking at County Hall.

5.5 Refreshments

Tea and coffee are available to make in the Members' Courtyard. Members wishing to purchase food many use the ground floor café or other local facilities. Food can be taken into the Courtyard.

5.6 Accessibility

Most meeting rooms at County Hall are accessible and are also fitted with an induction loop or infra-red (IR) transmission systems for hearing. Instructions on use are displayed in each room.

5.7 Essex Gifts

There are a number of Essex County themed gifts which members can purchase from the Chairman's Office, located in C Block, Room C102. If you wish to purchase any of the below, please contact Sue Youell. Please note that you can only pay by cheque, as the Chairman's Office does not hold petty cash.

List of Essex Gifts

Description	Value (including VAT)
Cufflinks	£6.11 each
Ties – navy & red	£7.25 each
Ties – maroon, red/white	£4.74 each
Lapel badge	£1.82 each
Stick pins	£1.63 each
Everflow rollerball pens	£5.57 each
Brass letter opener (with seaxes on	£6.78 each

handle)	
Chrome letter opener (with seaxes on handle)	£5.08 each
Business card holder (silver plated with seaxes in a velvet pouch)	£8.34 each
Square coaster (copper/pewter on stainless steel with seaxes in a velvet pouch)	£4.32 each
Compact mirror (silver plated with seaxes)	£8.22 each
Leather keyring with seaxes (in a metal presentation case)	£3.24 each
Glass whiskey tumbler (9oz) with seaxes	£4.10 each

5.8 Personal Safety

The first and most important principle to understand is that you carry the main responsibility for your own security. If you do not take precautions you may put yourself at risk. The particular precautions you should take are dependent upon the circumstances which could make you vulnerable to attack and the situation itself.

General Advice:

- Always have your mobile phone with you and keep it switched on whenever possible.
- Always let someone know where you will be.
- Trust your instincts - if you think something is wrong then act on it.

Detailed guidance for Members is available on the [Members Portal](#).

5.9 Member Enquiries

The Member Enquiries team are the single point of contact for all County Councillor and MP enquiries. The team comprises of 5 officers and in 2024/25, the team responded to 8,500 enquiries. Of these enquiries, 83% were highways related.

The team have 10 working days to respond to enquiries, although try to respond as quickly as possible. If an enquiry is complex then there may be a delay however, you will be informed if this is the case. To respond to enquiries, the team contact internal ECC service areas and/or external partners to seek the information needed in order to be able to prepare your response.

Urgent enquiries take priority over routine enquiries. This could be a social care matter, flooding or a dangerous pothole (urgent highway issues are considered in line the Essex Highways Maintenance Strategy).

To report an urgent issue, please do so via the below telephone numbers:

- Highways: 0345 603 7631
- Children & Families (urgent safeguarding concern) 0345 603 7627
- Adult Social Care (urgent concern about an adult) 0345 603 7630

There are a number of ways to contact the team and report enquiries:

- Highway related issues such as potholes, flooding, trees, surface covers etc are best reported via the online [Tell Us](#) tool. By reporting issues this way, they are automatically assigned to the relevant local inspector. Once you have reported, if you provide Member Enquiries with the reference number, the enquiry will be upgraded to a priority inspection.
- If you need to email the team, you can do so via member.enquiries@essex.gov.uk. Please do not share this with district or parish councillors. Any enquiries we receive from them are forwarded to the relevant team which slows the team down in dealing with your enquiries.
- Call the team on 03330 139938

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6. Members' allowances

As a Member you will receive a Basic Allowance intended to recognise the time devoted to work relating to the Council, including meetings with constituents and political group meetings. It also covers incidental costs for which other provision is not made. The Allowance will be paid in monthly instalments and you do not need to claim for it. You are also entitled to claim expenses in accordance with provisions within the members allowance scheme in Part 5 of the [Constitution](#). You should familiarise yourself with the provisions contained within the Scheme.

Information relating to the Allowances paid to you and expenses claimed will be published monthly on the Council's website.

6.1 My Oracle

My Oracle is the County Council's online pay and expenses system which gives members and employees greater visibility and control of their data. Payslips and P60s are available via the system and your personal details can be updated online.

All expenses claims must be submitted online using the system. Entries must be submitted and approved before the payroll deadline, therefore please enter and submit information as soon as possible and on a regular basis. Ideally claims should be made monthly and must be made within four months of incurring the expense. Claims made later than this will not ordinarily be paid.

A member may, by notice given to the Chief Executive, elect to forgo any part of their entitlement to an allowance under the Scheme.

For making mileage and expense claims, please see the guidelines below:

- Supporting documentation (such as receipts, including for the purchase of petrol) must be attached to the claim.
- All claims must be submitted within four months of incurring the expense.
- All claims will be checked prior to payment.
- Claims must include locations / postcodes of where the duties took place within the description field.
- It is recommended that you submit one claim per month.

The link to access My Oracle can be found via the [members portal](#).

More information

Please contact your group office or democratic.services@essex.gov.uk if you require assistance with using ePayroll.

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7. Conduct in local government

7.1 Acceptance of office

All members must sign the Statutory Declaration of Acceptance of Office before acting as a County Councillor. You will not be able to attend any formal meeting of the council if you have not signed.

7.2 Code of Conduct for Members

The Localism Act 2011 requires the Council to have a code of conduct and ECC has adopted the LGA model Code of Conduct to ensure greater consistency across the sector. The Code applies to all Members and it is your responsibility to comply with the provisions of the Code. You must comply with the Code whenever you act as a Member of the Council or when you are representing the Council – this includes postings to social media which relate to your role as a Member. The Code of Conduct for Members is part of the [Constitution](#).

The Code is consistent with the Seven Nolan Principles of Public Life, namely:

1. Selflessness
2. Integrity
3. Objectivity
4. Accountability
5. Openness

6. Honesty
7. Leadership

but any breach of the principles is not by itself a breach of the Code.

7.3 The register of members' interests

Under the Code of Conduct you are required to register in the Council's Register of Interests details of your Disclosable Pecuniary Interests (DPI) and your Code Interests within 28 days of becoming a member or of being reappointed. A DPI and a code interest are defined in the Code. It is a criminal offence to fail to declare a DPI or to vote on something if you have a DPI in it unless you have applied for and been granted a dispensation by the County Council. Without a dispensation you need to declare the DPI and must leave the room whilst the business is considered.

Members must also keep the register of interests up to date by notifying the Monitoring Officer of any change within 28 days of the change occurring.

7.4 Councillor's Council Tax arrears and voting rights

Section 106 of the Local Government Finance Act 1992 provides that a member who is two or more months in arrears with payment of Council Tax must not vote at any meetings concerning budgetary requirements and the level of Council Tax.

The restriction applies to you if, on the date of the budget meeting, a payment of council tax that you are liable to make has been outstanding for two months or more. The test is not the amount owed but whether any amount has been owed for two months or more. Arrears of Council tax owed to any local authority (even if not in Essex) are counted for these purposes.

If the restriction applies to you on the date of the budget meeting then:

- you must make a declaration at the meeting that you cannot vote on the budget because you are in council tax arrears as at the date of the budget meeting (you don't have to give the amount of the arrears); and
- you cannot vote on the budget.

The restriction does not prevent you from participating in the debate.

It is a criminal offence to contravene the restriction.

7.5 Disqualification from office

A member may be disqualified from office on various grounds, which include holding a paid office or employment under the direction of the Council, bankruptcy, imprisonment, composition or arrangement with creditors and failure to attend meetings throughout a period of six consecutive months

(unless the absence has been approved by the Council before the expiry of this period).

If a member is concerned that any of these circumstances might arise, please contact the Monitoring Officer.

7.6 The Standards Committee (part of the Audit, Governance and Standards Committee)

The Standards Committee has the following functions:

- To advise the Council on a local Code of Conduct for members
- To promote, develop and maintain high standards of conduct by members and co-opted members of the Council
- To give the Council advice on adopting a local Code
- To grant dispensations under Section 33 of the Localism Act 2011 to councillors and co-opted members
- To appoint a Sub-Committee
 - to conduct hearings into allegations of misconduct against members and determine whether and which sanction should be applied
 - to determine any other matters relating to the investigation or determination of allegations of misconduct referred to it by the Monitoring Officer
 - to grant dispensations under Section 33 in matters of urgency.

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8. Co-Parenting

8.1 Background

Local authorities have been responsible for looking after children who cannot be cared for by their parents for many years, but in 1998 Frank Dobson reminded councils of the need to actively promote the life-chances of these children. This responsibility has become known as 'corporate parenting' in recognition that the task must be shared by the Council as a whole.

Essex worked with Care Leavers to shape its [Co-Parenting Strategy](#). During these conversations, young people shared that the term 'corporate parenting' felt impersonal and instead proposed 'Co-Parenting' as a more accurate and inclusive term, reflecting the shared responsibility in raising Children in Care

A good co-parent offers at least the same standard of care as would a reasonable parent. This means that looked after children should be cared about, not just cared for, and that all aspects of their development should be nurtured.

The tasks of the Council in respect of looked after children are:

- to provide care, a home, and access to health and education
- to celebrate and share achievements
- to do all the other things a good parent does.

As members, you are responsible for the following:

- Being aware of the co-parenting role and the shared responsibility for ensuring that the needs of looked after children and care-leavers are met.
- Having some knowledge of the profile and needs of these children.
- Ensuring that action is being taken to address any shortcomings in the service provided to looked after children.
- Understanding the impact on looked after children of all Council decisions.
- Receiving information about the quality of care and the quality of services that children are receiving.
- Considering whether this would be good enough for your own child.

There are different levels of responsibility for members, some of which apply for all members, and some of which are targeted, or specialist, responsibilities.

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9. Public relations

9.1 Introduction

The Communications team is responsible for making the public aware of the Council's role and activities and does so through the media and other activities. The team is the central contact point for national and local journalists and broadcasters and arranges facilities for the media to attend meetings and events where appropriate.

9.2 Arrangements for meetings

Meetings of the Council, the Cabinet and committees are open to the public other than when they are excluded by a resolution that publicity would involve the likely disclosure of confidential or exempt information as specified in Part I of Schedule 12A of the Local Government Act 1972.

To facilitate the conduct of meetings, the agenda is prepared in two parts. Part I contains the matters to be taken in public. Part II contains items which it is expected will be taken without the public (including the press) present by reason of the likely disclosure of confidential or exempt information. These items therefore are circulated only to the members and officers directly concerned.

9.3 Publicity and the Local Government Act 1988

The Local Government Act 1988 has imposed a number of restrictions on local authority publicity, the main points of which are briefly outlined below:

- i. A local authority shall not publish any material which, in whole or in part, appears to be designed to affect public support for a political party.
- ii. A local authority can justify its policies and express its views within publicity.
- iii. The law should not be criticised within any publicity documents.
- iv. The resources of the Council cannot be used to publicise an individual councillor except a councillor who also holds a position within the Council, e.g.: leader or cabinet member.
- v. Arguments presented within local authority publicity must be balanced, and without bias.

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10. Complaints

10.1 The Ombudsman

The [Local Government & Social Care Ombudsman](#) can investigate individual complaints about councils, all adult social care providers (including care homes and home care agencies) and some other public service organisations.

The ombudsman will not consider a complaint until it has first been investigated by the local authority.

10.2 Other complaints

The County Council has issued [advice and guidance](#) for the making of, and dealing with, complaints, and this applies across the Council.

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Annex A – Statutory Duties

Human Rights Act

The Human Rights Act incorporates into domestic law the rights and liberties enshrined in the European Convention on Human Rights (ECHR). The act came into force in October 2000. The ECHR guarantees a range of political rights and freedoms of the individual against interference by the State. Rights guaranteed are those to life, to freedom from torture, inhumane or degrading treatment, forced labour, deprivation of liberty without due process and compensation, deprivation of access to justice or a fair trial or the introduction of laws that impose retrospective criminal liability for acts that were innocent at the time they were committed. Individual's rights to privacy, freedom of religion, expression association and assembly, to marry and found a family, may not be infringed without proper justification. The rights enshrined in the convention must be guaranteed to each individual irrespective of sex, race and a range of other grounds. Primary legislation, secondary legislation, and the common law can be made subject of an action under the act, in addition to decisions and actions of public authorities.

Freedom of Information Act

The Freedom of Information (Fol) Act deals with access to official information. In addition there are regulations which provide access to environmental information namely the Environmental Information Regulations. The Fol applies to most public authorities. It also applies to companies which are wholly owned by public authorities.

The act gives the public a general right of access to information held by public authorities. The act also requires public authorities to have an approved publication scheme, which is a means of providing access to information which an authority proactively publishes.

When responding to requests, there are procedural requirements set out in the act which an authority must follow. There are also valid reasons for withholding information, which are known as 'exemptions from the right to know'.

Data Protection Act

The Data Protection Act requires all organisations that handle personal information to comply with a number of important principles regarding privacy and disclosure. Anyone who processes personal information must ensure that it is:

- Fairly and lawfully processed
- Processed for limited purposes
- Adequate, relevant and not excessive
- Accurate and up to date
- Not kept for longer than is necessary
- Processed in line with your rights
- Secure
- Not transferred to other countries without adequate protection.

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