

2. ARTICLE 2 – MEMBERS OF THE COUNCIL

2.1 Composition and eligibility

a) Composition

The Council will comprise 59 Members (otherwise called Councillors). Councillors will be elected by the voters of each ward in accordance with a scheme drawn up by the Local Government Boundary Commission for England and confirmed by a legal order.

b) Eligibility

There are certain qualifying and disqualifying criteria for people who stand for election as a Councillor. These are set out in the Local Government Act 1972 and the Local Government and Housing Act 1989.

2.2 Election and terms of Councillors

Elections are held every four years. The terms of office of Councillor will start on the 4th day after being elected and, except for the Leader, Mayor and Deputy Mayor, will finish on the 4th day after the date of the next regular election, unless they are re-elected.

2.3 Roles and functions of all Councillors

a) Key roles

All Councillors shall:

- collectively be the Council's policy-makers and carry out a number of strategic and corporate leadership functions;
- represent their communities and bring their views into the Council's decision-making process to be the advocate of their communities;
- deal with individual casework and act as an advocate for constituents in resolving particular concerns or grievances;
- balance different interests identified within the ward and/or the Council's area as a whole and represent them accordingly;
- be involved in review of the Council's decisions and services and in the services provided by others in Medway;
- maintain the highest standards of conduct and ethics;

- promote equality and diversity in the Council's policies and practices;
- and may also be available to represent the Council on other bodies.

b) Rights and duties

- Councillors have rights to access the documents, information, professional advice, land and buildings of the Council needed to undertake their duties.
- Councillors must not disclose or make public confidential or exempt information or information given in confidence except where
 - they have the consent of the person authorised to give it;
 - they are required by law to do so;
 - the disclosure is reasonable and in the public interest and made in good faith and does not breach any reasonable requirements of the Council.

Councillors are encouraged to seek advice from the Monitoring Officer if contemplating the disclosure of confidential or exempt information.

- For these purposes, "confidential" and "exempt" information are defined in the access to information rules in part 2 of chapter 4 of this Constitution.

2.4 Conduct

Councillors will at all times observe the members' code of conduct and the protocol on member/employee relations set out in chapter 5 of this Constitution.

2.5 Allowances

Councillors will be entitled to receive allowances in accordance with the members' allowances scheme set out in chapter 6 of this Constitution.

References:

Part 1, Part VA and Section 79, Local Government Act 1972

Chapter 2, DETR Guidance

Section 18, Local Government and Housing Act 1989 and regulations thereunder

Section 7, Superannuation Act 1972 and regulations thereunder

Section 3, 5, 7(9) and 245 Local Government Act 1972

Section 91, Local Government Act 2000

Section 149 Equalities Act 2010