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## **Conditions of office of elected representatives**

Governance Committee

Co-rapporteurs:<sup>1</sup> Frida JOHANSSON METSO, Sweden (L, ILDG) and  
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### *Summary*

The European Charter of Local Self-Government (Article 7) asserts that no citizen who is eligible should be prevented from seeking local and regional political office due to financial and material considerations or the conditions under which they would serve.

This means that representatives should have their duties suitably recognised in monetary terms and be provided with the necessary support and resources to undertake them properly, effectively and free from inappropriate interference.

In return, citizens have a right to expect commitment and integrity by those who are elected. Selflessness, objectivity, accountability, honesty and transparency should be characteristic of, and visible in the day-to-day workings of all public bodies, including local government.

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<sup>1</sup> L: Chamber of Local Authorities / R: Chamber of Regions  
EPP/CCE: European People's Party Group in the Congress  
SOC: Socialist Group  
ILDG: Independent Liberal and Democratic Group  
ECR: European Conservatives and Reformists Group  
NR: Not registered

**RESOLUTION 393(2015)<sup>2</sup>**

1. While trust towards the political class has been decreasing across Europe, elected representatives are having to work harder than ever to meet the unsatisfied needs and expectations of their constituents. Although most local and regional politicians have to combine their elected political responsibilities with another full-time job, they are at the same time expected to be available quasi full-time for their political work, often at the expense of their family responsibilities and leisure time.
2. Interest in and respect for the work and role of local and regional representatives is declining. This may be due to the fact that in many countries it is considered a voluntary rather than a professional role. The low levels or absence of pay for local and regional elected representatives is also an important factor, as is the lack of appropriate training for them.
3. Representative democracy works best when it is truly representative of the community. The closer the composition of a municipal council reflects the makeup of the constituency that it serves, in terms of age, social status, occupation, cultural background, the better it will be placed to gain the trust of citizens. Local and regional authorities have a responsibility to ensure that the way in which political business in councils (assemblies and their executive bodies) is conducted (times of meetings etc.) does not deter citizens from standing for election.
4. Local media and municipal information services have a role to play in promoting a positive image of the diversity and representative nature of the city council which can serve to encourage people from a wide range of backgrounds to seek political office at local and regional level.
5. While public scrutiny and criticism are a necessary aspect of holding public office, municipal councils have a duty to protect local and regional elected representatives, as well as employees, from harassment and threats of violence.
6. The Congress therefore asks local and regional authorities, as far as is possible, and recognising that there are differences in the range of duties and responsibilities of elected representatives, to:
  - a. provide them with the facilities, equipment and policy support in order to perform their roles satisfactorily;
  - b. provide them with a training programme on the role, obligations and expectations of elected representatives. This should be structured around a regionally and nationally-based training module describing the workings of local government and the responsibilities of local and regional elected representatives, tailored according to the particular circumstances of each local and regional authority. It should also cover the code of ethics of cities and regions, which, in the interests of transparency, should be available for public consultation;
  - c. introduce performance indicators and provide continuous training for the professional development of local and regional elected representatives, covering changes in relevant legislation and matters that affect the management of local and regional authorities. Consideration should be given to building this into a formal and recognised qualification, which would give added value to the role;
  - d. assist representatives who frequently work from home, with the provision of suitable ICT and related equipment. Such assistance would be limited to the use of equipment purely for the discharge of their public work;
  - e. schedule meetings in such a way as not to restrict those who wish to serve as elected representatives at local or regional level, in particular those in full-time employment and those with family or care responsibilities;

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<sup>2</sup> Debated and adopted by the Congress on 22 October 2015, 3rd sitting (see Document CG/2015(29)15FINAL, explanatory memorandum), co-rapporteurs: Frida JOHANSSON METSO, Sweden (L, ILDG) and Tracey SIMPSON-LAING, United Kingdom (R, SOC)

*f.* encourage political parties and municipal offices to develop initiatives to stimulate the interest of a broader range of people in civic and public affairs, with a view to encouraging citizens from all sectors of the population to stand for local and regional election;

*g.* ensure that clear guidelines are available on how to deal with cases of harassment and threats of violence to elected representatives and their families and that appropriate support and guidance are given to elected representatives, in liaison with the police, including assistance with any legal steps that need to be taken;

7. The Congress asks national and regional associations of local and regional authorities to:

*a.* ensure that induction training is given to all elected representatives at the start of their mandate, which covers the responsibilities and obligations of elected representatives as well as instruction on the municipality's and region's code of ethics;

*b.* lobby for further training, in those countries where it does not exist, to ensure the continuous professional development of elected representatives. Consideration could be given to building this into a formal and recognised qualification;

*c.* draw up guidelines, with the appropriate authorities, on how local and regional authorities should deal with cases of harassment and threats of violence to local and regional authorities and their families.

**RECOMMENDATION 383(2015)<sup>3</sup>**

1. Democratic systems require elected political representatives to govern on behalf of their constituents. Governments have a duty to provide and/or facilitate conditions of office for elected representatives at all levels of government which encourage people from all sectors of the population to stand for political office, so that representatives reflect the composition, profile and diversity of the populations that they serve.
2. The available data suggests the trend in those elected to political office at the local and regional level is towards less rather than more diversity, and that political office is becoming more and more exercised by the elderly and by those who have the most money and time to spare.
3. For the majority of elected representatives, the responsibilities of elected office constitute a part-time occupation for a limited period of time, subject to periodic renewal of their mandate. Whilst not a career or profession in its own right, elected office needs to be carried out professionally and with appropriate standards firmly in place.
4. Article 7 of the European Charter of Local Self-Government affirms that citizens should not be prevented from seeking local or regional political office due to financial and material considerations or the conditions under which they would serve.
5. Unless there is a culture where people who are working full-time are allowed to take time away from work for their elected representative duties and be financially compensated, where there is an adequate carers allowance in place for attending meetings, it will continue to be difficult for certain groups, such as young working parents or people with full-time caring responsibilities, to take an active role in local and regional political life.
6. Given the significant differences in the range of duties attributed to elected representatives, the size and budget responsibilities of local and regional authorities, and the distinctive nature of national political, constitutional and administrative frameworks, it is not possible to prescribe a standard set of conditions for office holders that would fit every local or regional authority.
7. Nevertheless, the Congress believes that national, regional and local authorities have a fundamental responsibility to provide adequate support and resources to local and regional elected representatives, to enable them to fulfil to the best of their abilities the duties entrusted to them by their constituents.
8. In return for providing reward and support, for those who serve, citizens have a right to expect commitment and integrity by those who are elected. Selflessness, objectivity, accountability, honesty and transparency should be characteristic of, and visible in the day-to-day workings of all public bodies, including local and regional government.
9. Those in public office should uphold high standards of integrity and make decisions free from personal interest or other inappropriate considerations. Strong governance frameworks and clear ethical standards serve to both reduce the risk of corruption and enhance the public's confidence in the probity of local and regional politicians.
10. The Congress believes that for a local or regional authority to be truly representative of a locality it is important to have as broad a demographic profile of the elected representatives as possible and reflect the diversity of population that they represent. Member States, and in particular, political parties, should seek to promote local political service as a valuable civic contribution. Through educational programmes and the media they should seek to encourage participation (including standing for election) from all citizens, especially in terms of gender, age and cultural background.
11. The Congress therefore, invites the Committee of Ministers to ask member states, as far as is practical, and recognising that there are differences in the range of duties and responsibilities of representatives at the local and regional level, to ensure that:

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<sup>3</sup> See footnote 2

- a. all systems of local and regional government have arrangements in place to prevent individuals being disadvantaged or discouraged from seeking local or regional elected office by reason of their personal circumstances, the disruption to their family or career or financial and material penalties;
- b. individuals with disabilities are not excluded from seeking local and regional elected office due to inability to access and participate in meetings and that, where appropriate, they be provided with additional support to assist them in undertaking their duties;
- c. local and regional authorities provide adequate financial reward for the work performed by local and regional elected representatives, which realistically reflects the workload demands of the role, according to the duties and size of the local authority. Major positions of responsibility should carry additional payments, reflecting the extra work involved;
- d. levels of payment be established within a national or regional framework in order to avoid disparities between authorities. Where decisions about allowances are made locally, they should be determined by a panel independent of the local or regional authority, take account of relevant benchmarks and be the final decision with no political interference;
- e. there is a separate system of expenses to cover costs that are wholly and necessarily incurred in conducting elected duties, which should not be taxable. These should also be determined within a national framework where their legislation falls within national competence;
- f. elected representatives who are in paid full-time employment are entitled to adequate leave of absence from their employment to attend to official elected duties and do not suffer loss of salary or other rights;
- g. when elected representatives have a full-time elected role and notably when they have no other employment, the approach towards entitlements in terms of health insurance, severance and pensions be consistent with those enjoyed by elected national representatives, so that their position is not adversely affected by their public service;
- h. all payments, both allowances and expenses, made to elected representatives, be based on a published scheme and individual payments be made public in a timely manner;
- i. local and regional representatives, on their election, receive a role specification, detailing their responsibilities and obligations, and be obliged to follow a formal induction training programme, which should be a nationally-based training module, adaptable to the particular circumstances of the local or regional authority;
- j. continuous professional training be made available to local and regional elected representatives, in particular concerning legislative changes and matters that affect the management of local and regional authorities;
- k. codes of conduct exist at the local and regional level, based on published national codes of ethical standards, and that these be applied uniformly within countries. Mechanisms should exist to monitor the implementation and judge possible breaches of the code;
- l. all elected representatives at the local and regional level complete a public register of interests at the start of their period of service, including the interests of close family members to be updated annually and whenever there are significant changes to personal circumstances. Declarations should also be made and recorded of possible conflicts of interest in relation to a particular council decision;
- m. elected members who act honestly and in good faith do not face personal civil liability for the proper execution of their duties are indemnified against such claims, unless they can be shown to have acted negligently or recklessly.

## EXPLANATORY MEMORANDUM

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### I. Introduction<sup>4</sup>

1. The pattern of sub-national governance across Europe is varied and complex, with elected representatives at local, provincial and regional levels. The populations covered by authorities can range from a few hundred inhabitants to several hundreds of thousands inhabitants, where the scale of populations and budgets can rival those of smaller independent nations. Similarly, the remits and duties of elected representatives vary significantly both between different tiers and between countries. Countries also differ markedly in the amount of power, discretion and revenue delegated to local and regional authorities.

2. In some systems (often, but not invariably, described as ‘mayoral systems’) elected politicians have executive and administrative responsibilities alongside their political roles. In most such cases, the office holder is separately and directly elected and, often, works full time in the position. Such structures are common in many recently-established local democracies in Central and Eastern Europe. A variation of this system is where a group of elected representatives share executive power and one (indirectly chosen from within this group) is selected to exercise mayoral responsibilities. This is the pattern in some southern European countries. In the Benelux countries, the mayor can be a state appointment, usually made on the recommendation of the relevant municipal authority.

3. An alternative approach is to be found in those countries where a distinction is made between the role of political office and that of administrative office. In these systems, there is a separate, and usually permanent, bureaucracy, led by a head of service (chief executive or manager), whose role is to implement local authority political decisions.

4. To complicate matters still further, there may even be blends of systems within a national setting which are not always clearly delineated. In the UK, for example, there are now a small number of larger cities that have directly-elected mayors, whilst the majority have an indirectly elected leader and cabinet. Also, of course, political institutions are constantly evolving and developing and local and regional authorities are not immune from the environment in which they operate - the prevailing political mood, the state of the economy and,

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<sup>4</sup> The co-rapporteurs would like to thank Professor Colin MELLORS, Pro-Vice-Chancellor of the University of York (United Kingdom) for his contribution to this report.

therefore, of public finances, new technologies, for example, will all impact on the way that local government works. Finally, like any organisation, customs and cultures, as well as individual personalities, mean that no two local and regional authorities even within a single national regulatory framework, will be wholly identical in the ways that they operate.

5. Such variation is entirely consistent with one of the fundamental principles set out in the 1985 European Charter of Local Self-Government (Article 3.1):

“Local self-government denotes the right and the ability of local and regional authorities, within the limits of the law, to regulate and manage a substantial share of public affairs under their own responsibility and in the interests of the local population.”

6. However, whilst acknowledging that local government should respond to local circumstances, albeit within an established national regulatory framework, the Charter goes on to stress that, in order to be fair and effective some basic principles should underpin every system, whatever the size, remit or national setting. These specifically include the conditions under which elected representatives should serve (Article 7):

i. “The conditions of office of local elected representatives shall provide for free exercise of their functions.

ii. They shall allow for appropriate financial compensation for expenses incurred in the exercise of the office in question as well as, where appropriate, compensation for loss of earnings or remuneration for work done and corresponding social welfare protection.

iii. Any functions and activities which are deemed incompatible with the holding of local elective office shall be determined by statute or fundamental legal principles.”

7. In 1983, the Congress adopted Resolution 142 setting its views about the arrangements that should be in place in order to ensure that local and regional elected representatives were able to perform their roles appropriately.<sup>5</sup> A decade later, the Council of Europe reconsidered the status and working conditions of local and regional representatives and produced some basic principles, informed by their own survey of practice in member countries.<sup>6</sup>

8. Two decades on from that latter report, Congress invited its Governance Committee<sup>7</sup> to undertake a similar exercise in order to:

“define good practice with regard to the conditions of office of local and regional elected representatives in the light of Article 7 of the European Charter of Local Self-Government.....paying particular attention to the situation of pay and working conditions, insurance, immunity from prosecution, personal liability, limitation of mandates and disclosure of interests.<sup>8</sup>”

9. This report sets out the main themes that emerged from the exercise and puts forward consequent recommendations about ways in which the intentions of Article 7 might be best achieved.

10. The meaning and implications of Article 7 are well articulated in the 1992 study and cover: the conditions for standing in local elections (restrictions, financing and terms of office), conditions of office (multiple office holding, declarations of interest, misconduct, working conditions, training and information, restrictions after leaving office) and occupational status (allowances and expenses, tax, welfare benefits). Its recommendations were informed by a survey of practice in 17 member states.

11. The present study adopted a similar approach with information being supplied by 16 member states, this time including many of the newer and more recent democratic states of Central and Eastern Europe. The survey was structured around three key themes: recognising and rewarding elected representatives, support for representatives in undertaking their role, and leaving or removal from office. The survey can be found in the appendix.

<sup>5</sup> Standing Conference of Local and regional Authorities of Europe, Eighteenth session, Resolution 142.

<sup>6</sup> *Status and working conditions of local and regional representatives*, Study Series, 46, 1992, 65pp.

<sup>7</sup> A questionnaire was prepared by the co-rapporteurs and sent to all members of the Governance Committee on 2 April 2014 as well as to some local authority associations and members of the Group of Independent Experts on the European Charter of Local Self-Government (GIE). In total, 24 replies were received from 16 countries.

<sup>8</sup> Extract from the terms of reference.

12. The notion underpinning this report, reflecting the objectives of Article 7, is that arrangements should be in place in all countries to ensure that local elected public office be open to all sectors of the population and that, once elected, representatives be empowered to carry out their role in a satisfactory manner.

## **II. Eligibility and demography**

### *Considerations*

13. In principle, all those with the right to vote in elections should have a corresponding entitlement, and ability, to stand in such elections. In the case of local government, this might imply that a candidate should be registered as a voter in the same geographic area covered by the council. At the very least, it is not unreasonable to assume that some form of association exists between the candidate and the council area to which he/she seeks election whether through residency, place of employment, other direct business interest or the payment of taxes.

14. This link helps give the elected representative a better understanding of local needs and issues as well as a greater commitment to the promotion of the interests of the area and its inhabitants. On a practical level, it will also be easier for the representative to discharge his/her duties – both through formal meetings and liaising with citizens if they are locally based.

15. Just as some people are excluded from voting, there are also restrictions in all countries, and at all levels of government, on those who can stand for elected office. These may include general restrictions (e.g. those convicted of electoral fraud) and those who hold offices that are deemed incompatible with elected office. The latter might include those who are directly in the employ of the body concerned or those with particular pecuniary interests in the work of the body as well as, in some countries, certain occupations such as judges and the police. The Governance Committee have undertaken a report on 'Criteria for standing for local and regional election' which should be adopted by the Congress in 2015.

16. Politicians, of course, are rarely a microcosm of the society they represent, especially in terms of gender and age, or even educational and occupational backgrounds. The notion of 'representation' does imply that someone who is not 'representative' in terms of their background cannot promote the views and interests of all electors but, in local government especially, there is clear benefit when councils are broad-based in their composition. It is an obvious way of ensuring that various community perspectives are made known and inform local political decision making.

### *Findings*

17. Countries vary in their rules about eligibility, although almost all require some form of association with the locality in question. In most cases, this is based on residency and the payment of taxes. The majority place some restrictions which preclude candidates with serious and/or recent criminal records.

18. Countries generally also apply restrictions where there is a perceived incompatibility between the person's occupation and their role as an elected politician. Commonly, these restrictions preclude those with occupations that are directly under the employ of the state or local authority from standing for election; although in a few instances the restriction can extend to other associated roles and jobs.

19. Whilst, in theory, almost all electors can themselves stand for office, in practice there are striking differences in the representation of various groups of the population among those elected to office. This is seen at its most extreme in terms of gender. In Armenia, for example, 93.4 per cent of local and regional elected representatives are male compared with 6.6 per cent who are female. The situation is quite similar in Turkey where 94.04 per cent of local and regional elected authorities are male compared with 5.96 per cent who are female. In "the Former Yugoslav Republic of Macedonia", the equivalent figures are 70 per cent are male and 30 per cent female. In the same country, just 4 of the 81 mayors are female. Only Sweden comes close to a more equitable gender balance, with 43 per cent of its elected representatives being women.

20. The same statistical distortion emerges in the age profile of representatives, with most systems being heavily dominated by those in the older age groups. In Scotland, for example, 74 per cent of elected representatives are aged over 50 years, whilst in England the average age of elected representatives has now

reached 60 years. In the same country, just 4 per cent of elected representatives are black, Asian and minority ethnic in comparison to 17 per cent of the population. Again, Sweden leads the way in having a more evenly distributed age profile with 8 per cent of elected representatives being under 30 years of age and a further 32 per cent being between 30 and 49 years.

21. The survey asked if any regulatory changes might broaden the demographic profile of elected representatives. Generally, respondents were sceptical. As one country observed: "There are mixed views as regards this question. Some argue that quota-type arrangements are needed to improve the participation of under-represented groups. Others argue that the ballot box should be the only test of democratic participation. There is a reluctance to contemplate statutory quotas as it would be seen as interfering with the democratic process."

22. This same dilemma has been faced by several countries that have attempted to improve the gender balance of their national legislatures. In some, the introduction of quotas – either through list-based electoral systems or, in others, through imposing all female short lists – has had an impact. However, the experiments in 'positive action' have sometimes been discontinued.

23. In general, survey respondents took the view that changing rules through the use of quotas was not the way forward. Instead, they felt that the issue could only be addressed through (a) the work of political parties and official agencies working harder to stimulate the interest of a broader group of people in civic and public affairs and to bring forward a broader range of candidates and (b) ensuring that the actual way in which council business is conducted does not, unintentionally, discriminate against some groups of potential candidates. The latter issue is examined in more detail in the following section.

24. Reference was also made in some responses to the role that the media can play in projecting positive or, more usually, negative images of local politics and the inevitable impact that this will have on the range of people seeking elected positions.

### *Conclusions*

25. Whilst the link between candidates and their local areas can be measured in different ways, it is important that all elected representatives should have a direct and durable association with the local authority in which they seek to hold elected office, most usually residency or payment of local taxes. The nature of this link should be clearly set out in the rules defining eligibility.

26. Restrictions on the holding of public office should be as limited as possible and only exclude those who are legally denied the privilege to vote, who hold positions that bring potential conflicts of interest (eg. are employed by the council) or have records of behaviour that are incompatible with undertaking public service. The nature of the latter should be clearly articulated in national law and apply to all levels of government.

27. Consideration should be given to mechanisms, based on principles of positive action, especially through recruitment and selection processes that would assist in bringing about a broader demographic profile of elected representatives whilst respecting the fundamental principles of free and open elections.

28. Countries, and especially political parties, should work actively to promote local political service as a valuable civic contribution. Working with others as appropriate - including education and the media - they should seek ways of encouraging participation (including standing for election) amongst a broader social group than exists at the moment, especially in terms of gender, age and ethnicity.

## **III. Recognising and rewarding elected e-representatives**

### *Considerations*

29. Article 7 requires that potential candidates are not prevented from seeking office because of material considerations. This means ensuring that elected officials do not find themselves in material circumstances which impede them from fulfilling their role. At the same time, it does not imply that material gain, or any form of

self-advancement, should be the motive for seeking elected local office. The principle is more about recompense than reward and, for many, the notion of 'voluntarism' and 'service to the community' characterises local politics. Making a 'personal' contribution is both laudable and, often, an expectation of those who seek to undertake public service.

30. Numerous surveys have attempted to understand the reasons why people seek local or regional elected office. They confirm that, for the overwhelming majority, the key motives are about serving the community in some way, whether in respect of a particular community area, a specific cause, or a more general party political view about how local services should be best delivered. This is not to deny that some do go on to develop higher ambitions – many in national legislatures have served time in local government – but personal advancement is not the objective for most local elected politicians whose horizons remain firmly local.

31. In local government especially, it cannot be right if some classes of citizens are effectively unable to seek elected office because of factors such as incompatibility with work or family responsibilities, the way that local authority business is conducted, or the financial and material losses that would be incurred by undertaking such a role.

32. The logic of this is that all systems of local government should have in place arrangements that mean that individuals are not disadvantaged, or discouraged, from seeking local elected office by reason of their personal circumstances, the dislocation to their family or career, financial and material penalties, and the way that the council operates and the demands it makes.

33. The section below considers financial issues; a later section of the report considers conditions of service.

### *Findings*

34. The notion of voluntarism is prevalent throughout local government systems and almost all countries surveyed recognised that some disruption to family and career was an inevitable, and even expected, consequence of aspiring to this form of public service. For those who do not hold mayoral or similar office (local authority leader/deputy leaders, party leaders/deputy leaders or with other extended responsibilities), the role was invariably a part-time one and as one respondent explained: "The ... system is based on the wish of having local authorities governed by ... the best men and women within the community elected among all citizens regardless of professional background. This means that the task of being elected member of a council of a local authority is not considered as an ordinary professional occupation or a "job". ... On the contrary, it is considered important that the elected members of the councils are only occupied in local politics on a part-time basis in order to ensure that the different professional backgrounds can bring different knowledge and views into the political debates."

35. This typifies responses and there was little evidence of any desire to move away from the principle of local elected politicians being a part-time activity, other than for those holding formal office, as mayors or equivalent, or for those undertaking similar leadership roles or with extended responsibilities in other kinds of local and regional authorities.

36. However, defining 'part-time' is far from simple. In the Netherlands, for example, workloads relate to the size of the council with time commitments varying according to the populations of the municipality, for those with up to 30,000 inhabitants (seven hours per week), with 30,000-100,000 inhabitants (12 hours per week) and for those with in excess of 100,000 inhabitants (24 hours per week). In Scotland, surveys suggest that representatives commit an average 36 hours per week to their municipal duties. In Austria, surveys indicate similar results; a commitment of 32 hours per week for mayors of small and medium-sized municipalities and up to 50 hours per week for mayors of tourism-municipalities or cities and towns is expected. This clearly leaves little time for other paid employment.

37. In mayoral systems, the norm is that the role is full-time and recompensed accordingly with some claiming weekly workloads in excess of 60 hours per week. Frequently, there are effectively contracts of employment for such positions which set out responsibilities and entitlements. Similar workloads may also apply in non-mayoral systems for those with leadership responsibilities although it would be unusual to find such contracts in these systems.

38. For many, theoretically part-time, representatives there are the real difficulties of combining municipal responsibilities with career demands. As one national response observed: "Yes, there are some in full-time

employment, but such is the diversity and unpredictability of the time demands that it is extremely difficult for people in full-time employment to fulfil the role of elected member. Thus, people in full-time employment are probably under-represented in council chambers. Those who can fulfil the role are individuals who - while no doubt very busy people also - generally have some flexibility in their working life, for example people who are self-employed, some business people, some farmers, people who have taken early retirement etc. The fact that most councils hold their meetings during the working day makes it very difficult for those who work in factory or office type situations to participate.”

39. It is certainly challenging for those with traditional daytime work commitments to combine their career with elected office. In some systems, attempts are made to address the difficulty by scheduling meetings outside normal work hours (i.e. in the evenings) and, in most of the countries surveyed, the decision about the timing of local council meetings is left to the council itself to determine. To some extent, of course, local discretion can be self-fulfilling if existing members choose a time that is convenient for them but not for those who are currently unable to serve because of the schedule of meetings. There is no easy answer, since simply moving to evening meetings might be equally inconvenient for those with caring responsibilities (e.g. single parents).

40. In any case, formal meetings form only part of the elected representatives' workload. Links with citizens and external agencies form a significant part of the demands on their time. As one respondent described: “The nature of a councillor's role is such that there are no defined hours of duty other than councillors can expect to be contacted by members of the public on a virtual 24/7 basis. At the core of their official duties is attendance at formal council meetings and numerous committees. There is then a series of informal meetings with local groups, residents associations etc. and a further, even more informal (but none-the-less time consuming), series of meetings, phone calls, email traffic etc., with individual members of the public who have concerns. It is probably true to say that no two councillors have the same pattern of working but all will assert that the demands of the public on their time are never ending and often occur at times which would not be acceptable in a proper working situation, e.g. at weekends or late in the evening.”

41. Similar sentiments were made in a number of responses, as well as noting that the working style and commitment of the individual local elected representative can lead to considerable variations in workload demands.

42. Few countries give employees any statutory entitlement to demand time from their employers in order to undertake their public duties. In Ireland, however, some public service jobs (e.g. teachers) are afforded such a right and, in Malta, employers are legally obliged to give elected representatives time to undertake their council duties. In practice, the latter often amounts to just 14 hours each year. Albanian representatives also have some rights embodied in law.

43. The most generous in this regard is Sweden where employers are obliged to allow elected representatives time away from work in order to undertake their duties and (up to a certain level) to compensate for loss of earnings.

44. The precise nature of financial recompense again varies and is significantly different for mayors and for other representatives.

45. For mayors, there is often a scale linked to the size of the local authority, sometimes informed by the level of remuneration paid to national legislators. In Malta, for example, the level of payment is a proportion of that paid to national politicians, ranging from €8,900 per year for the smallest authorities (one-third the national payment) to €17,800 per year for the largest authorities (two-thirds the rate paid nationally). In the Slovak Republic, mayoral payments are calculated as a ratio of the average wage, based on the size of the authority. A mayor of a municipality of between 5,000 to 10,000 inhabitants, for example, would receive approximately €23,000 per annum. An increase of up to 70 per cent of this figure is payable at the discretion of the council. In addition, most mayors enjoy other benefits such as health insurance, holiday entitlement and severance payments on leaving office. Mayors are, in general, treated as salaried officials.

46. For ordinary elected representatives, in line with the notion of voluntarism and, in theory at least, the part-time nature of their role, payments are usually quite modest. Indeed, in Armenia, for example, there is no payment as such, merely the ability to cover expenses that have been incurred in carrying out official duties. Not unreasonably, these repayments are untaxed. A similar position exists in Croatia at the discretion of the council.

47. Most ordinary elected members receive a standard level of payment – often described as an allowance – to cover the totality of duties both inside and outside of the council. There is less of an appetite for paying an attendance allowance, related to the number of meetings actually attended. On the one hand, this might encourage representatives to attend to their duties but, equally, it can distort their roles by rewarding some activities (mainly meetings) but not others (working with communities). The Former Yugoslav Republic of Macedonia, Albania and Romania are three countries that do base payments on meeting attendance.

48. There are two main approaches taken to the more common payment model: fixing rates centrally (often determined by the size of council and, therefore, the implied workload) and allowing each council to determine its own remuneration level. Usually, as well as the fixed rate, additional payments are made to those holding offices or undertaking specific responsibilities within the authority. Payments are generally subject to national taxation rules.

49. An example of a centrally-determined approach is Scotland, where all 1,223 Scottish elected representatives receive a basic remuneration of circa €19,900. In addition, responsibility payments determined by the council can bring the total to between €24,940 and €44,890 for senior representatives, depending on the size of the council, with leaders being paid between €33,250 and €59,850 based on the same criterion.

50. A similar system applies in the Netherlands, where a fixed remuneration is decided nationally according to the size of the municipality. Positions of responsibility – chairs of political parties and committee members – attract additional allowances.

51. In other countries, rates are determined locally, sometimes based on the recommendations of an independent review panel. Levels of payment will often, implicitly, reflect the size of the council although there is no formal benchmarking between authorities. In England, for example, a survey in 2012 revealed that the annual basic allowance (i.e. excluding responsibility allowances) for elected representatives ranged from €4,883 in the smallest second-tier authority to €20,578 in the large unitary or top-tier authority. Responsibility payments are additional to these figures.

52. Most local and regional authorities also make provision for the refund, untaxed, of expenses incurred in undertaking public duties. These generally cover travel (sometimes excluding travel to and from the council since this might be included in the basic allowance), attendance at conferences and insurance when travelling outside the area.

53. In Ireland, local and regional elected representatives receive an ‘annual expenses allowance’. This is formula-based to cover basic costs such as printing, stationery etc. and which ranges from €2,286 to €2,667 depending on the size of the council, plus an amount to cover their travel and subsistence for meetings within their own county or city. This amount depends on the distance the local elected representative lives from the council office and on the size of the council. There are conditions attached (e.g. a requirement to attend 80 per cent of meetings).

54. Although mayors often enjoy the benefit, very few countries offer health insurance to ordinary elected representatives, some explicitly observing that this is covered by national welfare provisions. Also, relatively few countries cover additional expenses that occur as a result of care responsibilities, Sweden is unusual in routinely making such provision, which explains the relatively high incidence of elected representatives (one in ten) with young children. In a few others, discretionary payments are made to facilitate the attendance at meetings by local and regional representatives with family care responsibilities.

55. In the majority of countries, all payments made to individual elected representatives (both allowances and expenses) are made public and several respondents noted growing public and media interest in scrutinising payments made from public sources. Whilst such information can sometimes be used for mischievous purposes, or for pursuing other political agendas, there is now widespread expectation of transparency and a wide acceptance that such public scrutiny helps safeguard the integrity of local politics. This forms part of the growing interest in securing high standards of conduct in local and regional governance, as expressed by the Congress in its Code of Conduct on the Political integrity of local and regional representatives and its Resolution on the Rights and duties of local and regional representatives.<sup>9</sup>

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<sup>9</sup> Resolution 79 (1999) *Political integrity of local and regional representatives* and Resolution 316 (2010) *Rights and duties of local and regional representatives: the risks of corruption*, Congress of Local and Regional authorities of Europe.

### *Conclusions*

56. Elected representatives should not be motivated to seek office in order to benefit financially or to achieve influence that will bring material personal benefit. Equally, whilst some impact on aspects of career and family life is unavoidable, elected representatives should not be penalised materially for seeking such roles nor be precluded by financial considerations. Accordingly, some form of reward, or recognition, should be offered to elected local and regional representatives, especially in order that groups of citizens are not denied the opportunity to seek elected office or suffer significant adverse financial consequences as a result of their desire to serve the public.

57. Each system of local government should set out a system of recompense for the work performed by elected representatives which realistically reflects the workload demands of the role (eg informed by the duties and size of the local authority, perhaps through a banding approach). Particular positions of responsibility should normally carry additional payments, reflecting the extra work involved, set out in a similar way.

58. The payment should take the form of a general 'duty' or 'representational' allowance to cover the totality of duties undertaken by the representative rather than in the form of an attendance allowance which might 'reward' some duties but not others. Such payments should be subject to tax.

59. Levels of payment should normally be established within a national framework in order to avoid disparities between authorities within a single country setting. Where decisions about allowances are made locally, however, they should be determined by a panel wholly independent of the local authority and take account of relevant benchmarks. Panel decisions should be final.

60. The public has a right to expect prudence in its public officials and levels of payment should take account of this sentiment.

61. For the very smallest councils – based on communities or villages – where duties are light, elected office might reasonably be regarded as voluntary and not recompensed, other than where expenses are unavoidably incurred.

62. There should be a separate system of expenses. These should essentially cover costs that are 'wholly and necessarily' incurred in conducting council duties and not be taxable. Again, these should be determined within a national framework and cover such matters as: travel, insurance when travelling on behalf of the council, subsistence etc.

63. Councils should give consideration to ways of supporting those with childcare or dependency care responsibilities. This may include bearing the costs of appropriate provision.

64. For those who are effectively full-time in their roles – mayors and leaders and similar in other systems – especially where they have no other employment, consideration should be given to covering national insurance and similar payments such that their position is not adversely affected by their public service.

65. All payments, both allowances and expenses, made to elected representatives should be based on a published scheme and individual payments be made public in a timely manner.

66. Clear rules should be set out describing the expectations and obligations of the elected representatives, including minimum acceptable standards in terms of attendance at meetings etc. Formal 'role specifications' for all elected representatives are commended as a means of setting out these expectations.

## **IV. Supporting elected representatives**

### *Considerations*

67. In order to undertake their duties, local representatives look to the local authority to provide them with the information, and the facilities, to perform their roles satisfactorily. By information, we might include: timely documentation for meetings, appropriate briefings and access to officials, access to data and to research,

knowledge of legal frameworks etc. By facilities, we might mean availability of meeting space, secretarial support, research and policy support, appropriately scheduled and located meetings, access to telephone and information technology (IT) or home-based IT facilities.

68. In essence, there should be clear reciprocal expectations. On one hand, the representative should discharge known responsibilities (ideally, as recommended above, set out in the form of a 'role specification' given to every potential local elected representative) with, on the other hand, the representative being provided with those resources needed to carry out their role. Clearly, the level of the latter provision will vary according to the level of duties carried out by the council in question.

69. There is also the issue of how elected representatives are inducted and subsequently trained and kept up-to-date in their role. Whilst much value is attached to the part-time nature of the role, and that council membership should not become a career in its own right, this does not mean that elected representatives should not seek to be skilled and professional in the ways that they undertake their work. There are few roles where at least some initial induction is not essential and there is little reason to believe that elected office should be an exception to this rule.

70. Support can also be afforded by the manner in which the council operates including, as noted earlier, the scheduling of meetings so that disruption both to work and family demands is minimised.

### *Findings*

71. None of those surveyed had a compulsory training system in place, although one was considering adopting such an approach. Nevertheless, most offer a minimum level of initial induction on local representatives first being elected.

72. Newly-elected local and regional representatives in Scotland, for example, are provided with an induction pack and a timetable of introductory events and training sessions. These cover such topics as: first weeks in office, corporate governance, role of local elected representative, standards and ethics. The Scottish national association also produces a national induction programme which complements local programmes. Frequently, more experienced elected representatives will informally mentor newer members of their own party. Continuous professional development is also encouraged in Scotland, with a programme being designed to give elected representatives feedback about their performance and to provide them with professional and personal development opportunities to enhance their effectiveness. Ireland has initiated a similarly comprehensive programme with the Association of Irish Local Government being assigned a significant role in devising the content and delivery of the training programme for elected members. As for Turkey, the Union of Municipalities of Turkey offers free training to all municipal elected representatives. Most of this takes the form of legal training courses, leadership, group working, and training for elected women representatives.

73. In Switzerland, a proposal is due to be presented to parliament for a form of continuous training that will lead to a formal qualification for more experienced and senior elected representatives.

74. Other countries are less active. In Armenia, for example, the only training offered is optional at the start of the period of elected office. In Romania no training is offered. In others, there are follow-up training opportunities but the onus is usually on the elected representative to request such training rather than it being routinely offered or encouraged. Also, as might be expected, when public finances become tight, training is often the first budget to be cut and several respondents pointed out that spending in this area had been severely cut in recent years.

75. There can be consequences, as one mayor bluntly observed: “The main thing that I consider a hindrance is the lack of professionalism in the system....starting from the [national] government department, moving on to the excessive bureaucracy, and lack of initiative.... and ending in inefficient and lazy councillors”. Fortunately, few were as critical in their perceptions.

76. Most authorities recognise the need to provide elected representatives with reasonable access to appropriate practical support although this varies not just between systems but between councils within individual countries and will often depend on the role and status of the member. In the better provided systems this can include: offices, meeting rooms, administrative support, officer expert advice on policy and technical matters, research support, information briefings, office equipment such as desks, chairs, filing cabinets; home telephones, answering machines, mobile phones, personal computers, and press and public relations. Where support is made available, the intention is that this is purely for elected representatives carrying out their elected duties and should not be used for political party and campaigning activities, although it can often be difficult to police this distinction.

77. In practice, few countries, especially outside the larger and wealthier Northern European states, provide this range of support and most councillors will be much less well resourced.

78. Councillors, by the nature of their roles, are often home-based for much of their work and are frequently contacted by their citizens directly. Information technology has, of course, revolutionised communications so that elected representatives are at the end of emails twenty-four hours a day as well as at the end of a telephone.

79. Many authorities have recognised the impact of electronic communications and now provide elected representatives with the capabilities to work from home. How they do so varies, with some building this ‘cost’ into the system of allowances and expenses. Others provide equipment – particularly computers, broadband and mobile phones – on a loan basis during the tenure of elected office. In the Netherlands, for example, elected representatives can borrow a computer for home use or be paid for the use of their own computer and equipment. Internet fees can also be reimbursed. Most English local and regional authorities support home-based working in some form or another.

80. Information technology can impact in other ways and in Malta, for example, the Local Councils Act specifies that ‘each local elected representative shall, at his own expense, be obliged to install an e-mail service in his residence. Any correspondence, minutes or documents shall be sent to the Councillors by e-mail and for the purposes of service shall be deemed to have been duly served’.

81. Practice in relation to the scheduling of meetings varies considerably and is largely subject to local discretion rather than being prescribed nationally. Many do attempt to accommodate the needs of those with work commitments by holding plenary sessions in the evening but, even in those countries, many other meetings take place in working hours. Sweden is unusual in limiting the number of meetings held in the later evening in order not to disrupt family life unduly.

### *Conclusions*

82. All elected representatives, on first being elected, should receive a role specification and be obliged to follow a formal induction programme, the cost of which should be covered by the local or regional authority. Where appropriate, the latter might be structured around a nationally-based training module describing the workings of local government and the responsibilities of elected representatives, modified to take account of the particular circumstances of the individual local or regional authority.

83. Further training should be available, wherever possible, to provide continuous professional development of elected representatives. This would especially cover changes in relevant legislation and matters that affect the management of local and regional authorities. Consideration might be given to building this into a formal and recognised qualification.

84. As far as is practical, and recognising that there are differences in the range of duties performed by representatives in different kinds of councils, elected representatives should be provided with the facilities, equipment and officer support in order to perform their roles satisfactorily.

85. As far as is practical, and recognising that there are differences in the range of duties performed by representatives in different kinds of councils, where elected representatives necessarily perform much of their role home-based, they should be assisted in the provision of suitable IT and related equipment. Such assistance should be limited to use of equipment purely for the discharge of their public work.

86. As far as is practical, meetings should be scheduled in such a way as not to restrict those who wish to serve as elected representatives. Particular attention should be given to the needs of those in full-time work and those with family or care responsibilities.

87. Those with disabilities should not be precluded by reasons of their ability to access to meetings and, where appropriate, should be provided with additional support (eg. palantypists (speech to text reporters), signers etc.) to assist them in undertaking their duties.

88. Information that is provided by officers to local and regional elected representatives should be conveyed in a form that will best equip them to make appropriate and evidence-based decisions. Account should be taken of the limited time available to elected representatives to read and digest material. It should, therefore, be clear, succinct and relevant.

## **V. Integrity and independence**

### *Considerations*

89. It is an expectation that those in public office should uphold high standards of integrity and make decisions free from personal interest or other inappropriate considerations. Strong governance frameworks and clear ethical standards serve to both reduce the risk of corruption and enhance the public's confidence in the probity of local and regional politicians. Local and regional authorities are responsible for significant amounts of public spending and many of the competencies of local and regional authorities – e.g. decisions regarding procurement and planning – are easy targets for corrupt practice. Co-financing and the management of European funds add to the opportunities for malpractice and economic crime.

90. The Congress has a longstanding interest in promoting political integrity at local and regional levels, most notably its Recommendation 60 (1999) and Resolution 79 (1999) on political integrity of local and regional elected representatives. This work builds on the 20 guiding principles for the fight against corruption, adopted by the Council of Europe Committee of Ministers in 1997, and the twelve ethical principles adopted by the OECD Council in 1998. It presents a code of conduct that specifies standards of behaviour expected of elected representatives and informs citizens of these standards. Arrangements were expected to be put in place to ensure the application of the code in each country.

91. One element of the code (Article 17) focuses on the declaration of interests and requires that representatives shall make known their 'direct and indirect personal interests, their other mandates, functions or occupations, or changes in their assets to be made public or monitored'. By making such declarations, the local elected representative is making transparent situations where there may be, or may reasonably be believed to be, conflicts of interests so that the local elected representative should refrain from any involvement in the matter being considered.

92. Conflict of interest' issues have become an increasingly important element in ethical and corporate governance arrangements. A distinction can be made between 'registers of interest' which are compiled and updated on a periodic basis and may include, for the broader purpose of transparency, information that might not cause any conflict for the local elected representative and a 'declaration of interest' (direct or indirect, pecuniary or non-pecuniary) through which notification is made (usually at the time a matter is being considered) of a potential conflict. In most cases, for the latter, the person concerned will be required to withdraw and take no part in the discussion or decision.

93. The other side of the balance is to ensure that local and regional elected representatives themselves are not subject to inappropriate attempts to influence their decision-making. There is an inevitable difficulty in defining when external influencing becomes 'inappropriate'. Politics by its very nature is about persuasion and lobbying. If such persuasion turns into bribery, blackmail, bullying (which can be increasingly through electronic means) or threats of physical violence, then it is clearly inappropriate. Many elected representatives have experienced

at least some degrees of such behaviour and it is possible that Congress might wish to consider this area as a separate topic.

94. In addition, local and regional elected representatives might reasonably expect that they will be indemnified from any personal liabilities that might arise from their council work (especially the decisions they make) provided such decisions have followed due process and the local elected representative concerned has not personally acted recklessly or negligently.

### *Findings*

95. In some countries, (e.g. Estonia, “the Former Yugoslav Republic of Macedonia”, England and Scotland) published registers of interest are a requirement for all elected representatives (usually updated on an annual basis and earlier if a change of circumstance takes place) and might include employment, commercial activities, land ownership and other associations. They generally cover immediate family members and, sometimes, more extended families. It is also often a requirement to notify of the offer, or receipt, of gifts and hospitality over a certain level. In other countries, for example Malta, declarations are made and recorded as and when they arise. Failure to disclose can lead to criminal prosecution. By contrast, in Armenia, there is no requirement to publish potential conflicts of interest.

96. Where an interest occurs in relation to a particular matter being considered by the council, then the elected representative would be expected to declare that interest and, usually, withdraw taking no part in the discussion or subsequent decision. The practice, however, is far from universal and may not be uniformly applied, even within systems.

97. For the most part, local and regional representatives can be censored or sanctioned, rather than removed, if they breach codes of ethical conduct. Removal from office is only likely to result from disqualification arising from a change of circumstances which means that they are no longer eligible to serve, extended prison sentences or extended absence from council meetings.

98. Although several respondents referred to the increasing intimidation of local politicians, Sweden is the only country to report that specific steps had been taken to protect local representatives in office. A survey, conducted in 2012, recorded that 11 per cent of representatives had been subjected to some form of threat, violence or harassment within the last twelve months, with over three-quarters of these indicating that they had experienced multiple incidences of harassment in the previous twelve months. Young and foreign-born representatives were identified as being the most vulnerable. In larger municipalities and county councils, senior politicians, supported by security managers, have performed risk analyses and have taken practical security measures, such as guards at meetings. Some local and regional authorities have established clear procedures and training for elected officials about how to prevent and manage threatening situations.

### *Conclusions*

99. In order to encourage public confidence and minimise the likelihood of corruption, the principles of the European code of conduct for the political integrity of local and regional elected representatives (1999) should be clearly applied and implemented in all national local authority systems.

100. Codes of conduct should exist, based on published national codes of ethical standards and applied uniformly, within countries. Where the national level is addressed, the respective matters should also be addressed at the regional level. Mechanisms should exist to monitor the implementation of such codes, judge when breaches occur and apply appropriate sanctions consistently.

101. All elected representatives should complete a register of interests at the start of their period of service, and including the interests of close family members, to be updated annually and whenever there are significant changes to personal circumstances. There should also be periodic (ideally quarterly) recording of all offers of hospitality and gifts over a specified level (e.g. €75) whether or not accepted. Each national system should set out the kinds of interests covered in a Declaration of Interests policy.

102. Separately, whenever there is the possibility of an actual, or perceived, conflict of interest in relation to a particular council decision, a declaration should be made and recorded. Unless the conflict is deemed to be

minor or not material, the local elected representative should withdraw and take no part in the discussion and decision.

103. Elected members who act honestly and in good faith should not have to meet any personal civil liability which may arise for the proper execution of their duties and be indemnified against such claims unless they have acted negligently or recklessly.

104. Councils should have a duty of care that extends to elected representatives as well as employees. They should assist in preventing and dealing with harassment, including that from social media and the internet, or threats of violence to elected representatives and report any concerns to the police.

105. Whilst fair comment, public scrutiny and even criticism can be expected by those in political life, the media (and especially social media) have a responsibility to ensure that politicians are not subjected to unwarranted invasions of privacy or harassment either to themselves or their families and should act to remove libellous or hate comments when requested.

## **VI. Leaving office**

### *Considerations*

106. In the spirit of Article 7, whilst elected office is not a career as such, it is reasonable to expect that provision be made to help reintegrate those who have taken on full-time positions (mayors and equivalent) into normal working life at the end of their term of office or to provide some form of pension entitlement consistent with national arrangements. It is appropriate that they should enjoy the same sickness, severance and old-age insurance entitlements as other citizens in full-time employment and, in particular, there is a strong case to be made that there should be no difference between their position and that of full-time national elected representatives.

107. Similarly, there is an argument to be made that all representatives should have access to the pension arrangements enjoyed by others in full- and part-time employment in their country. This should not put them in any advantageous position but, equally, should not cause them to suffer longer-term disadvantages because of their service in elected office.

108. For other, part-time, elected representatives who are in employment the logic would follow that they should also be able to make a contribution towards any national sickness insurance scheme in the same way they do with their occupational salary. It is more difficult to make the case that they should benefit from any form of severance payment at the ending of their period of office.

### *Findings*

109. Some countries do, in fact, treat elected representatives in a way that is analogous to those who are employed, either full or part-time. Rather fewer offer specific pension schemes and, where they do; this is generally an entitlement that is earned after serving for a set period.

110. One of the more generous schemes is in Ireland where elected representatives standing down are eligible for severance payments. Councillors qualify for approximately €3,344 (20 per cent of their annual allowance) for each year of service since May 2000. Thus a local elected representative who had retired at the most recent elections after serving for the past 14 years would have received a gratuity of approximately €46,816, most of which is tax free.

### *Conclusions*

111. Elected representatives should not be penalised in terms of their ability to access health and pension provision, in comparison to the entitlements enjoyed by other citizens of their country.

112. Where the office is formally deemed to be full-time, the approach towards entitlements in terms of health insurance, severance and pensions should be consistent with those enjoyed by elected national representatives (informed by the level of allowances paid locally compared with nationally).

113. Those serving in part-time roles, and with other paid employment, should be expected to contribute to prevailing sickness and pension schemes alongside contributions, and benefits, arising from their paid employment.

114. For those not in other employment, councils should assist in identifying mechanisms (allowing them to join schemes that exist for local government staff) that would mean that they are not disadvantaged by their elected role.

## **VII. Concluding comments**

115. Given the large number of local and regional authorities and even greater number of elected representatives, the significant differences in the range of their duties, and the distinctive nature of national political settings, it would be impossible to prescribe a standard set of conditions for office holders that would be suitable for every local authority. What might be appropriate for the largest of authorities with extensive powers and multi-million Euro budgets would be wholly inappropriate for the small communal or parish council with just a handful of powers and modest budget. Not least, there is the need to be sensitive to the fact that local and regional authorities work within specific constitutional and cultural settings determined by national governance frameworks. The challenge, therefore, is to construct a broader framework that enables the objectives of Article 7 to be achieved irrespective of scale, function, resource and national setting.

116. The central aim of Article 7 is to ensure that all citizens, eligible by the franchise of that country, are not precluded from seeking political office either by financial and material considerations or by the conditions in which they would serve.

117. In so far as is practical and reasonable, and reflecting the extent of the duties involved, this means that representatives should have their duties suitably recognised in monetary terms and be provided with the support and resources to undertake their duties properly, effectively and free of inappropriate interference.

118. For the overwhelming majority of local and regional elected representatives, their role is part-time and for a limited period of time. They are subjected to periodic renewal of their mandates. The earliest democratic systems in ancient city states intentionally built in the notion of turnover, with public service being a responsibility rather than a prize. Whilst not a career or profession in its own right, however, this does not mean that the role should not be carried out professionally and with appropriate standards firmly in place. This implies a balance of responsibility.

119. In return for providing reward, and support, for those who serve, citizens have a right to expect commitment and integrity by those who are elected. Integrity, selflessness, objectivity, accountability, honesty and transparency should be characteristic, and be visible in the day-to-day workings, of all public bodies, including local government.

120. Local government – where decisions are made close to the people they affect – should set the standards by which democratic systems work and flourish.

## APPENDIX - Questionnaire

*The aim of this questionnaire is to gather information on the conditions of office of local and regional elected representatives in member states of the Council of Europe. This information will be used to prepare a report on what arrangements exist across Europe that ensure that all those who wish to participate in elected office are able to do so and that once elected enable them to fulfil the demands of their mandate. This report will have a resolution and possibly a recommendation which will be approved by the Governance Committee and then adopted by the Congress of Local and Regional Authorities. You can find more information on the Congress on its website: [www.coe.int/T/Congress](http://www.coe.int/T/Congress)*

*Please quote any sources you use to answer these questions (including legislation, websites, documents and word of mouth).*

1. Which country and which level of elected office do your answers refer to? (if you provide information about more than one level, with different conditions of office, please fill in a separate questionnaire for each level; if there is more than one answer concerning the same level, please state maximum and minimum conditions).

### RECOGNITION AND REWARDS FOR ELECTED REPRESENTATIVES

2. Approximately, how many hours of work (in meetings and at home/with constituents) are expected for this elected office?
  - is it a full time or part-time role?
3. Are there elected representatives at this level in other full-time employment? How do they juggle these two roles?
  - Are employers obliged to allow time away from work to fulfil an elected role?
  - Under what conditions, is it paid?
4. What pay and allowances are provided for this elected office?
  - are there conditions attached (e.g. attendance at meetings, level of responsibility)
  - can expenses be claimed?
  - are the payments/allowances/claimed expenses published?
  - are they taxed?
5. Does this elected office provide benefits and under what conditions?
  - health insurance?
  - travel insurance?
  - a pension?
  - holidays?

### SUPPORT FOR REPRESENTATIVES IN CARRYING OUT THEIR MANDATE

6. What practical logistical support is offered for home based working (telephone, internet, computer) and outside the home (an office, administrative assistance, meeting rooms)?
7. What type of training is offered?
  - is it compulsory?
  - is the training on-going or only introductory?
8.
  - can representatives request specific training?
  - who offers and pays for the training courses?

9. Are any measures taken to facilitate a working/family life balance? (e.g. allowances for carers, timing of meetings).
10. Are elected officials required to publish declarations of possible conflicts of interests (e.g. business activities)  
- under what conditions? (on taking the office? yearly?)
11. Do the conditions of office provide any protection from threats? (including on social media)

### **LEAVING ELECTED OFFICE**

12. Can the elected representative be sanctioned, dismissed or suspended from office?  
- if so, by whom and under what conditions?
13. Is there a severance payment?
14. Are representatives subject to any restrictions after the term of office has ended?
15. Is any assistance provided for vocational reintegration of elected officials who are not re-elected?

### **GENERAL**

16. Are extra funds and support available for disabled elected representatives?
17. Please provide any statistics you have on the age/ethnicity/gender of elected representatives at this level.
18. Do you see any reason that age/ethnicity/gender require particular conditions of office for elected representatives?
19. Is any reform of the status of local and regional elected representatives envisaged?
20. Is there anything else, not covered by the questions above, that either helps or hinders elected representatives in your country either taking up elected office or in performing their duties once in office?