

## THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

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### Recommendation 383 (2015)<sup>1</sup> Conditions of office of elected representatives

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 (ETS No. 122) 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 budgetary 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 from 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. 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) by all citizens, whatever their 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:

*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 and take account of relevant benchmarks; the decisions would be final and not subject to any political interference;

*e.* there is a separate system of expenses to cover costs that are wholly and necessarily incurred in conducting elected duties, and such reimbursement of costs should not be taxable. These should also be determined within a national

framework where legislation relating to such expenses 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. This register should be updated annually and whenever there are significant changes in 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 and that they are indemnified against such claims, unless it can be shown that they have acted negligently or recklessly.

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1. Debated and adopted by the Congress on 22 October 2015, 3rd Sitting (see Document [CG/2015\(29\)15FINAL](#), explanatory memorandum), rapporteurs: Frida Johansson Metso, Sweden (L, ILDG) and Tracey Simpson-Laing, United Kingdom (R, SOC).