

Part One – The Council and Local People

I. THE COUNCIL, COUNCILLORS AND ELECTIONS

- I.01 The Borough is situated in inner west London. It was created in 1965 with the merging of the Metropolitan Borough of Chelsea and the Royal Borough of Kensington. It is bordered to the north by the London Borough of Brent, to the west by the London Borough of Hammersmith & Fulham, to the east by the City of Westminster and to the south, across the River Thames, by the London Borough of Wandsworth.
- I.02 The Borough is divided into 18 electoral wards – please see map at Appendix A. At the Borough Elections every four years, registered electors in each ward choose who will represent them for the coming four years. The Borough Elections are usually held on the first Thursday in May every four years. The most recent Borough Election was on 3 May 2018 and the next will be on 5 May 2022. The terms of office of Councillors start on the fourth day after being elected and finish on the fourth day after the date of the next regular election.
- I.03 To be able to stand as a candidate at a local government election in England and Wales* a person must be at least 18 years old; be a British citizen, an eligible Commonwealth citizen or a citizen of any member state of the European Union; and meet at least one of the following four qualifications:
- (i) That person is, and will continue to be, registered as a local government elector for the local authority area in which they wish to stand from the day of their nomination onwards.
 - (ii) That person has occupied, as owner or tenant, any land or other premises in the local authority area during the whole of the 12 months before the day of their nomination and the day of election.
 - (iii) That person's main or only place of work during the 12 months prior to the day of their nomination and the day of election has been in the local authority area.
 - (iv) That person has lived in the local authority area during the whole of the 12 months before the day of their nomination and the day of election.

* For the latest guidance on elections matters please see the Electoral Commission website - www.electoralcommission.org.uk

- I.04 The Borough has 50 Councillors in total and each electoral ward returns two or three Councillors – please find a list of wards and serving Councillors at Appendix B. Each Councillor is required by law to sign an Acceptance of Office declaration, following their election, before they can act as a Councillor.
- I.05 Every Councillor represents the residents of their Ward - including those who may not have voted for them. Councillors are elected to the Council to serve the interests of the entire Borough and all who live or work there or visit it.
- I.06 Councillors, and any other people the Council invites to serve on Council committees, are required to adhere to high ethical standards and these expectations are set out in the *Councillor Code of Conduct*, the *Code of Conduct on Planning* and the *Protocol on*

Councillor/Officer Relations elsewhere in this Constitution, [available on the Council website](#).

- 1.07 Councillors are entitled to receive allowances under the *Councillors' Allowances Scheme*, which is reviewed and re-adopted each year and the current version of which is set out in full elsewhere [in this Constitution](#). Full details of the current Scheme and payments made under the previous year's Scheme (1 April to 31 March) are published on the Council website.

2. THE ROLE OF COUNCILLORS

- 2.01 The Council has adopted the following role description which sets out the principal responsibilities of a Ward Councillor.

- 2.02 Ward Councillors are community leaders and should:

Leadership at Ward and Borough Level

- (i) be the main point of contact with local communities, which includes residents as well as businesses and other organisations
- (ii) develop a deep understanding of the local community - its issues, needs and concerns - so that these can be fully represented
- (iii) support others to empower themselves and find ways to strengthen the capacity of communities to take action on their own behalf to tackle things that are important to them
- (iv) lead and champion the interests of local communities and effectively represent the interests of the ward and its constituents, to deliver outcomes that make a difference
- (v) act as ambassador and advocate for the Council as a whole
- (vi) meet face to face and liaise regularly with local interested individuals and groups to listen and support their involvement in key Council decisions
- (vii) undertake casework for constituents and act as an advocate in resolving concerns or grievances, in a timely way
- (viii) ensure that constituents receive feedback on consultations in which they have participated and help them to understand the reasons why the Council has made its decisions
- (ix) participate constructively in the good governance of the ward and borough
- (x) use influence as a Councillor to develop links between groups and communities in the ward and local area
- (xi) work with communities to help with local service delivery, including encouraging volunteers

Representation

- (xii) inform the debate at full Council meetings and contribute to the effectiveness of the Council meeting

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- (xiii) contribute to the development of the Council’s policies, budget, strategies and service delivery, and to the scrutiny of their implementation and review
- (xiv) develop and maintain knowledge of how the Council works, its objectives and develop working relationships with its officers as appropriate and relevant to their casework
- (xv) keep constituents informed about what they have been doing, using relevant and appropriate communication channels
- (xvi) represent the Council to local communities, and local communities to the Council
- (xvii) participate in the activities of any political group of which the Councillor is a member
- (xviii) represent the Council on outside bodies where so appointed and, where appropriate, represent those bodies within Kensington and Chelsea

Other duties

- (xix) fulfil the legal and local requirements placed on a Councillor (in accordance with the *Councillor Code of Conduct*)
- (xx) take responsibility for their own personal training, development and continuous improvement for any role undertaken
- (xxi) behave in a professional manner towards residents and other stakeholders, officers, and other Councillors

2.03 The Council will provide logistical and clerking support to Ward Councillors to enable them to convene discussions with constituents to identify and address local priorities.

2.04 In addition to these Ward Councillor responsibilities, a number of our Councillors also have leadership roles, for example as a member of the Council’s executive (the ‘Leadership Team’), as a Committee Chair or within their Party Group on the Council.

3. THE COUNCIL’S VALUES AND BEHAVIOURS, AND THE TWELVE PRINCIPLES OF GOOD GOVERNANCE

Values and Behaviours

3.01 In September 2018 the Council adopted new Values and Behaviours which underpin our approach to public service and drive change and service delivery throughout the organization.

Putting communities first

- We put local people at the heart of decision making in everything we do.
- We seek to include and involve: all voices matter.
- We provide quality services that are responsive, effective and efficient

Respect

- We listen to everyone and value the personal experiences of people in our communities and of each other
- We adopt a fair, and involving approach regardless of any way in which an individual is different to us

Integrity

- We act with openness, honesty, compassion, responsibility and humility.
- We let people know what we are doing and communicate why and how decisions have been made.

Working together

- We work together and in partnership with everyone that has an impact on the lives of our residents.
- We want to understand, learn from each other and continually adapt.

The Twelve Principles of Good Governance

3.02 These Values and Behaviours above build on the Twelve Principles of Good Governance adopted by the Council in July 2018 as the basis upon which the Council will be run and decisions made. These principles underpin this Constitution and everything the Council and its councillors do in serving, and delivering services to, local people.

- Connecting with residents
- Listening to many voices
- Inviting residents to take part
- Involving before deciding
- Responding fairly to everyone's needs
- Focusing on what matters
- Working as a team
- Managing responsibly
- Having the support we need
- Acting with integrity
- Communicating what we're doing
- Being clearly accountable

4. CHARTER FOR PUBLIC PARTICIPATION

Introduction

4.01 Healthy local democracy goes well beyond people voting in Borough Elections every four years. Local people rightly expect to have a say on things that affect their communities, to help shape the decisions made by the Council and to contribute to the development of services, plans and programmes alongside Council officers and local councillors. Furthermore they want some confidence that their contributions can and will influence these things.

4.02 The Council delivers a wide range of services and takes many decisions, most of which are quite routine and don't impact local people in any significant way. A few, however,

have a potentially significant impact in one way and another. The Council is keen to hear how local people wish to be engaged or involved and are eager to listen to local people and other stakeholders before reaching a decision. It acknowledges that such public participation can often deliver more sustainable outcomes: local people, after all, are more likely to support decisions on which they've had an input.

- 4.03 That said, it's the Council that has the legal responsibility for the provision of local authority services. It can and will listen, hear, engage, and involve – but ultimately it's the democratically-elected Council which has to, by law, weigh up all relevant considerations and take these decisions. In many instances, these decisions will clearly reflect the wishes of local people, but at times the Council may have to take difficult decisions that will not satisfy everybody. However, it will always take account of local views and make decisions that it considers are in the best interests of the Borough as a whole.
- 4.04 The diagram at Appendix D shows a range of ways that can and will be used to facilitate public participation, each of which the Council will use as and when appropriate (see examples provided).

Our Values and Behaviours

- 4.05 In 2018 the Council adopted the *Twelve Principles of Good Governance* (now incorporated into [Part One of the Council's Constitution](#)) and in 2019 adopted new organisational Values and Behaviours which include commitments to:

- put local people at the heart of decision making in everything we do;
- listen to others and value the personal experiences of people in our communities and each other; and
- let people know how we are doing and communicate why and how decisions have been made

Involving local people in issues that impact on the community

- 4.06 In terms of public participation, our Values and Behaviours mean that we:
- accept the principle that those impacted upon by major proposals or actions should be given an opportunity to be involved in advance;
 - will listen to views and opinions and, where there is clear local consensus, take this into account in Council decisions;
 - acknowledge that the community is a valuable, often untapped, resource, and that drawing upon this resource through public participation can drive more sustainable outcomes;
 - value public participation so that we can hear from those most impacted by decisions etc.;
 - will investigate, and remain keen to hear at any time about, those things in which local people wish to be involved (and where they want to be consulted or to co-design or co-produce something with the Council) and will thereafter facilitate that involvement where possible;

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- where local people do wish to be involved, will do our utmost to ensure they are well informed;
- will include a section in Key Decision reports where we explain involvement from local people and other relevant stakeholders in advance of the decision and state clearly what influence this has had on the decision being taken; and
- will continue to review the way that we have engaged with local people and consider how we might improve.

4.07 When involving local people we will:

- give people a chance to be involved at the earliest possible opportunity and allow enough time to engage with them and for them to make a genuine contribution;
- use a variety of approaches so we're hearing from a range of voices which reflect the whole community, and we understand that not everyone wants to engage with us in the same way;
- be honest about what can or can't be changed and any other limitations;
- ensure that all Council departments keep Ward Councillors informed of issues and developments that have a particular impact on their Wards and alert them well in advance to decisions that have a significant effect on their constituents; and
- review engagement activity and share learning across the Council.

4.08 We will do all we possibly can not to ask people for information they have already given us, and we will not overstate what we can offer.

Major plans, policies and projects

4.09 When we are developing significant plans, policies and projects we will:

- seek views from local people at an early stage, before a Council policy has been formulated, so as to gather ideas and opinions;
- take account of this input in formulating a draft Council proposal;
- put the draft Council proposal out to consultation, using appropriate means of communication and give people enough time to comment – usually at least six weeks;
- publish a full list of consultations underway in a single place on the Council website;
- make a clear statement on the Council website of our approach to consultation on new plans, policies and projects.

Getting involved in Council meetings

4.10 To achieve our aim, we will:

- give at least 5 clear working days' notice of Council, committee and Leadership Team meetings and help people to find agenda papers, reports, minutes and any background papers used in preparing reports;

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- welcome interested local people to our meetings and provide reasonable opportunities for them to speak and to film or record the public part of any meeting;
- routinely explore and provide opportunities for interested local people to get involved in the Council's Scrutiny activities, ensuring Scrutiny activity focuses above all on the things that matter most to local people;
- give at the very least 28 calendar days notice*, on the published [Forward Plan of Decisions](#), of all 'key decisions' and 'executive decisions' we intend to take (as defined in Part 4 of the Constitution) ; and
- welcome and respond efficiently to petitions in line with our [Petitions Guidance](#).

*[*other those occasional circumstances where statutory urgency procedures are used]*

and additionally local people

- may complain to the Council itself under its Complaints Scheme; to the Ombudsman after exhausting the provisions of the Council's Complaints Scheme; to the Council's Monitoring Officer about a breach of the [Councillor Code of Conduct](#); and to the [Information Commissioner](#) where applicable;
- may [inspect the Council's accounts](#) and make their views known to the external auditor; and
- may, where they use a specific Council service (for example as a parent of a school pupil or as a Council tenant), have additional legal rights which are not covered here.

Openness and transparency

- 4.11 We will make it easy for people to find out whom to contact about any particular issue and will publish on the Council website Councillor and senior officer email addresses. However where people want to make a complaint or have a routine enquiry they should pursue this via the complaints form on the ['Complaints, Comments and Compliments' page on the Council website](#) so as to ensure a timely response to the issue in question and to make sure the Council captures and learns from all complaints.
- 4.12 We will make it easy to find information, as well as responding in a timely way to specific requests for information.

A two-way relationship

- 4.13 If it's to function effectively the relationship between the Council and local people has to be a two-way, reciprocal, one. Whilst the Council will continue to explore ways to better communicate with, to empower, and to maintain the trust of, local people, if the Council is to represent, and speak or act with authority on behalf of, local people then there is an onus on local people to feed back to, and communicate openly and constructively with councillors and council staff.
- 4.14 So we encourage local people:
- wherever they can to access Council services and other information via our website in the first instance;

- to vote in elections and, more generally, to participate in public life;
- to take part in consultations, giving their views and feedback local services and holding the Council to account – telling the Council if and when it ‘gets it wrong’; and
- to do what they can, individually or with others, to make the Borough a better place to live.

Accessibility

- 4.15 We want to ensure that there are no barriers preventing local people from accessing Council services, facilities and meetings.
- 4.16 We are keen that local people feel welcome at our meetings so will ensure these are held in accessible rooms, with facilities available for those requiring additional assistance. Requests for information in alternative formats will be accommodated wherever possible.

Accountability for our Charter commitments

- 4.17 It is Important that the Charter is not purely aspirational but, rather, is the catalyst for and reflection of real culture change. All departments of the Council, and all staff, will need to deliver consistently to the standards set out in this document. However, there may be occasions where local people feel we have fallen short. If and when this happens we want to hear about it - via the [‘Complaints, Comments and Compliments’ page on the Council website](#) - so that we can apologise when we’ve not lived up to our commitments and, as far as possible, put things right.
- 4.18 The overarching principles in this Charter will feed into, and be supplemented by, more specific or service-based commitments contained other documents such as the Community Engagement Strategy, the Statement of Community Involvement in Planning and the Resident Charter for Housing Tenants.

5. THE CONSTITUTION

- 5.01 This document you are reading, entitled ‘The Council and Local People’, is the introductory Part of the Council’s Constitution. The Constitution is a series of documents outlining how the Council is run, something the Council is required by law to have and to keep up-to-date. The Council must make copies available at its main offices for inspection by members of the public and be prepared to supply copies at a reasonable charge, though in practice most people look at, and can download, the Constitution [here on the Council website](#).
- 5.02 The Constitution sets out how Council decisions are made, and the procedures that are followed to ensure that these are efficient, transparent and accountable to local people.

Review and Revision of the Constitution

- 5.03 The Council is required by law to appoint a ‘Monitoring Officer’ who monitors and reviews to keep it up to date and to ensure that the aims and principles of the Constitution are achieved. He or she will make periodic reports to the Administration Committee.

- 5.04 Changes to this Constitution will only be made by full Council following consideration of the proposal by the Administration Committee, provided that the Monitoring Officer may from time to time make the following changes:
- (a) changes which reflect any decision made by Council, one of its committees, the Leadership Team or any other person or body with the authority to delegate or sub-delegate powers to exercise executive or non-executive functions;
 - (b) changes which reflect any changes made to the allocation of functions or responsibilities to, or between, officers;
 - (c) such changes as may be necessary to comply with or give effect to any legislative requirements; and
 - (d) such other changes of an editorial nature as may seem appropriate to make the Constitution internally consistent, up-to-date and readily understandable.

Suspension and Interpretation of the Constitution

- 5.05 The provisions of this Constitution may not be suspended, except for ‘Limitation on Chairs and Vice-Chairs of Committees in Part 5 of this Constitution. The rules specified below may be suspended by the full Council to the extent permitted within those rules and the law.
- 5.06 A motion to suspend any rules will not be moved without notice unless at least one half of the whole number of Councillors is present. The extent and duration of suspension will be proportionate to the result to be achieved, taking account of the purposes of the Constitution.
- 5.07 The following rules may be suspended:
- (a) Council Standing Orders (in Part 3 of the Constitution);
 - (b) Contract Regulations (in Part 8 of the Constitution)
- 5.08 The ruling of the Monitoring Officer as to the interpretation of this Constitution, or of the Mayor as to any proceedings of the Council, cannot be challenged at any meeting of the Council. Such interpretation will have regard to the overarching purposes of this Constitution.

6. HOW DECISIONS ARE TAKEN - OVERVIEW

- 6.01 A structure chart of the Council’s governance arrangements, showing how Council, the Leadership Team, Scrutiny Committees and other committees relate to each other, is set out at Appendix C.

Full Council

- 6.02 Full Council meetings, which take place at least eight times each year, provide an opportunity for all 50 of our local councillors to meet together to discuss issues of importance to local people. Full Council meetings are chaired by the Mayor and are run in accordance with Standing Orders, procedures set out in Part 3, Section 3 of the Council’s Constitution.

6.03 Full Council meetings are a forum to debate policy issues and are also the place where a small number of the Council's most significant decisions are taken such as:

- the Council Budget and Council Tax level;
- Planning and Licensing policies;
- changes to the Constitution; and
- the election of Mayor (each May), the appointment of the Leader of the Council (after the Borough Elections every four years) and, annually, appointments to Council Committees and outside bodies.

6.04 Full Council meetings are open to the public and anyone can watch live online from the Council meeting webcasts page. If you live, work or go to school in the Borough you can also register to speak at a Full Council meeting via the Council website.

Leadership Team (the Council's 'executive')

6.05 The Leadership Team makes the most significant and sensitive policy, financial and service decisions. The Council gives at least 28 days' notice of such decisions via the Forward Plan of Key Decisions available on the Council website, and the agenda and reports for Leadership Team meetings are published a full week beforehand.

6.06 Leadership Team meetings are open to the public and anyone can watch live online from the Council meeting webcasts page. It is also possible to sign-up via the Council website to receive e-alerts via MyRBKC when Key Decisions are added to the Forward Plan.

Planning and Licensing Committees

6.07 The Planning Committee and Planning Applications Committee take decisions on the most sensitive planning applications, those which have received objections from several members of the public or where a Councillor has asked for the application to be considered by Committee.

6.08 Licensing Sub-Committees take decisions on licensing applications which have received objections from a ward councillor, the public or a Council department (e.g. the Noise and Nuisance Team).

6.09 Planning and Licensing Committee meetings are open to the public and the agenda and reports for meetings are published a full week beforehand.

Council Officers

6.10 Most of the Council's more routine decisions are delegated to Council officers. These are taken within policy and financial guidelines set by councillors. The Scheme of Delegation (in Part 7 of the Constitution) sets out those matters delegated to officers.

The role of Scrutiny

6.11 Scrutiny Committees are made up of councillors not currently serving on the Leadership Team, known as 'non-executive' councillors. Scrutiny Committees do not make decisions, rather they:

- hold decision-makers (including the NHS, Police and utility companies) to account on behalf of local people; and

- make recommendations to the Leadership Team and senior officers to help develop policies and services.
- 6.12 Scrutiny Committee meetings are open to the public and more information on how to get involved is included in section 5 of the Constitution.
- 6.13 Scrutiny committee activity complements the work of the Leadership Team and provides a ‘check and balance’ to executive authority (see paragraph 6.5 above). In particular, scrutiny committees are free to inquire into matters of local concern. This could lead to recommendations for changes to policies and services. Scrutiny committees also monitor the decisions of the Leadership Team and can ‘call-in’ a decision that has been made but not yet implemented and ask that it be reconsidered. They may also be invited by Lead Members or senior officers to input into policy or service review issues well in advance of proposals being developed for consideration by the Leadership Team.

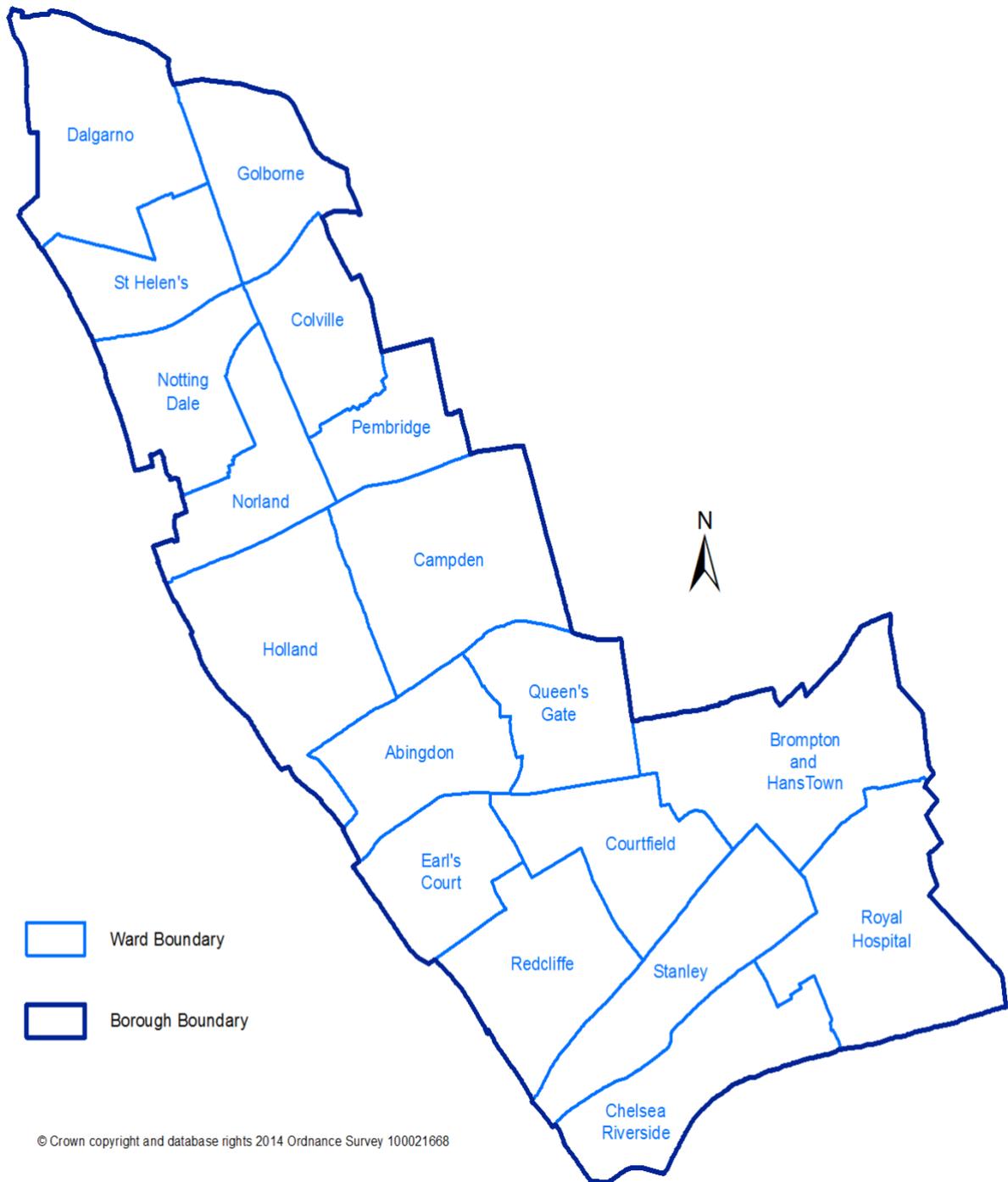
The overarching principles of local authority decision-making

- 6.14 All decisions are made in accordance with the law, taking into account relevant considerations, and following advice from professional officers. Furthermore in taking all decisions there should be:
- (a) clarity of aims and desired outcomes;
 - (b) a presumption in favour of openness;
 - (c) proportionality - the action to be taken is proportionate to the desired outcome; and
 - (d) clarity about the options considered and rejected, with reasons.

7. COUNCIL STAFF

- 7.01 The Council employs staff (often called ‘officers’) to give advice, implement decisions and manage the day-to-day delivery of its services. Officers have a specific duty to ensure that the Council acts within the law and uses its resources wisely and a *Protocol on Councillor/Officer Relations* elsewhere in this Constitution governs the relationships between officers and Councillors.

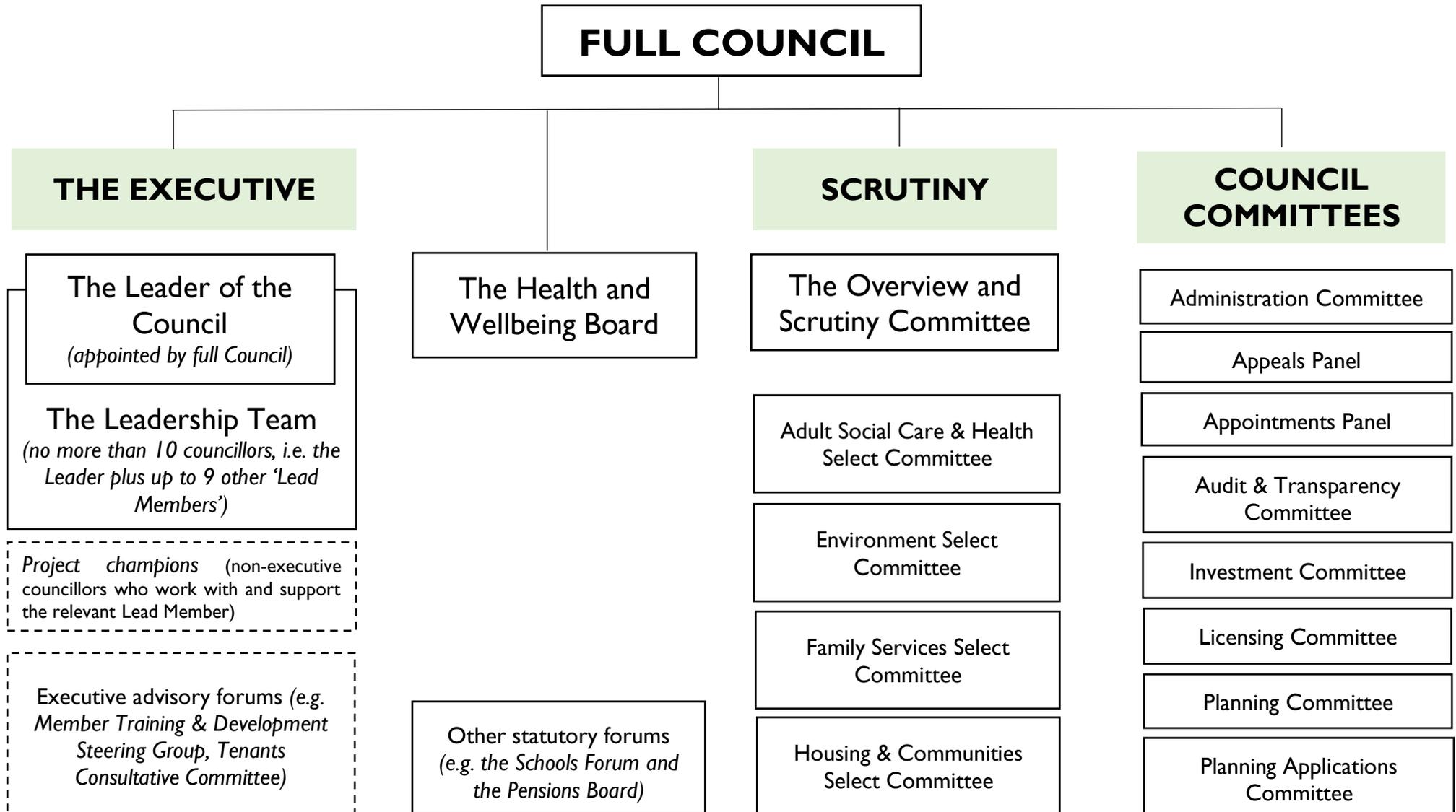
The Royal Borough of Kensington and Chelsea – Electoral Ward Boundaries



APPENDIX B

Ward	No. of Cllrs	Councillor names
Abingdon	3	Sarah Addenbrooke, Anne Cyron and James Husband
Brompton & Hans Town	3	Walaa Idris, Sof McVeigh and Mary Weale
Campden	3	Catherine Faulks, Robert Freeman and Ian Wason
Chelsea Riverside	3	Adrian Berrill-Cox, Gerard Hargreaves and Alison Jackson
Colville	3	Ian Henderson, Nadia Nail and Monica Press
Courtfield	3	Janet Evans, Gregory Hammond and Quentin Marshall
Dalgarno	2	Kasim Ali and Pat Healy
Earl's Court	3	Hamish Adourian, Malcolm Spalding and Linda Wade
Golborne	3	Emma Dent Coad, Sina Lari and Pat Mason
Holland	3	Aarien Areti, Charles O'Connor, Johnny Thalassites
Norland	2	David Lindsay and Julie Mills
Notting Dale	3	Robert Atkinson, Judith Blakeman and Marwan Elnaghi
Pembridge	2	Laura Round and Dori Schmetterling
Queen's Gate	3	Max Chauhan, Matthew Palmer and Maxwell Woodger
Redcliffe	3	Tom Bennett, Marie-Therese Rossi and Charles Williams
Royal Hospital	3	Elizabeth Campbell, Cem Kemalhi and Emma Will
Stanley	3	Will Pascall, Josh Rendall and Kim Taylor-Smith
St. Helen's	2	Mohammed Bakhtiar and Portia Thaxter

Councillor-level governance arrangements



Grasping Opportunities to Increase Public Participation

The Council will continue to engage with local people, and facilitate participation, on a number of levels, looking for opportunities where possible to push engagement and participation towards the right hand of the scale below.

