

# **Rules and Best Practices Governing Meetings of the Douzaine of St Saviour**

## **Introduction**

The procedures which govern the Douzaine and Constables are partly provided by Guernsey law, and partly set and reviewed by the Douzaine itself.

In particular, Guernsey law governs the procedure for the election of Douzeniers and Constables and through *The Reform (Guernsey) Law 1948 (as amended), Part V* and *The Elections Ordinance, 2007*. The Guernsey statute book also includes the 2011 Guernsey Douzaine Charter.

Internal procedures of the Douzaine are its own affair. They were tabulated by the Douzaine on 24<sup>th</sup> February 1997 and are reviewed annually in December.

## **Responsibilities**

The Douzaine is responsible for the vision, direction, transparency and engagement of parish government. The Dean of the Douzaine lends a guiding hand in this and the Vice-Dean stands ready and informed, should the Dean be indisposed.

The Constables are responsible for the collection and disbursement of local taxes and duties, the maintenance of parish assets, and the efficiency of parish management. The Constables, in consultation with the Dean and assisted by the Parish Secretary, organise the regular and ephemeral tasks of the parish year, propose the structure and timetable of parish business, draw up the agendas for meetings, including regular reports from Douzaine Sub-Committees to the full Douzaine, provide the Douzaine with information, and keep the records including the accounts.

## **Internal Elections**

Elections for the posts of Dean and Vice-Dean take place annually. These positions run from 1<sup>st</sup> January and are vacated at the end of each calendar year. So that no vacancy occurs before the January Douzaine meeting, such elections are held at the preceding December meeting. These elections are by ballot of the full Douzaine including the candidates, presided over by the senior Constable present. Candidates are nominated at the meeting at which the vote takes place, and need a proposer and seconder. If contested, election is by secret ballot. In the absence of both Constables the election must be deferred.

A sitting Dean or Vice-Dean may stand for re-election when their term expires. A sitting Dean or Vice-Dean who is not re-elected ceases their position at the end of the year

Appointments to Douzaine sub-committees are made at the first meeting in the New Year, so that new members can participate. The process is overseen by the senior Constable present or in their absence by the Dean or Vice-Dean. Candidates may be proposed and seconded individually or *en bloc* and are chosen by show of hands.

### **By-elections**

To avoid unbudgeted expense, by-elections for early-vacated Douzenier or Constable will normally be held at one of the two regular parish meetings: in April, when the accounts and Remede are proposed for approval, or in November when regular parish elections are held.

If held in November, nominations for the uncompleted term are sought separately from the nominations for full-term positions, and the by-election vote will immediately precede the main elections.

### **Sub-committees and Canton memberships**

The Douzaine forms sub-committees to speed up and to focus its thinking. Sub-committees exist to recommend policy to the Douzaine on their special areas; and to advise the Constables between Douzaine meetings on matters which cannot wait for the next regular meeting, do not merit a special Douzaine meeting, or do not require full Douzaine attention. Sub-committees are not decision-making bodies. Sub-committee membership will normally be established each year at the January Douzaine meeting.

The Douzaine may co-opt other parishioners onto a sub-committee. At least one Constable should attend sub-committee meetings.

The standing sub-committees of the Douzaine are: Finance and Property. Each has their own terms of reference and membership guidelines. Ad hoc sub-committees may be formed by the Douzaine for specific projects.

Sub-committees shall not speak for the Douzaine unless they are authorised to do so, but shall report to the Douzaine as circumstances require on the activities of the said committee.

The Parish has four Cantons. Three Douzeniers (one of whom is Senior of Canton) shall represent each Canton. Canton memberships will be decided each year at the January Douzaine Meeting, in the same way as sub-committee memberships.

## **Conduct of Meetings**

### Frequency

There are ELEVEN regular full meetings of the Douzaine each year. They are held at La Salle Paroissiale, usually on a Monday, the dates to be agreed annually in advance.

A Special or Extraordinary Meeting may be called by the Dean or in his/her absence the Vice Dean. Should seven Douzeniers request a Special or Extraordinary Meeting then the Dean or in his/her absence the Vice Dean shall so order such a meeting to be convened.

It shall be the duty of the Constables to request all Douzeniers to attend all full meetings, and all sub-committee members to attend relevant sub-committee meetings.

### Attendance

All Douzeniers and Constables are expected to attend all Douzaine Meetings, Public Meetings, Elections, events and other occasions as the Douzaine shall deem to be of Parochial importance, subject always to matters of conscience or acceptable absence.

Absence shall be accepted if a Douzenier or Constable due to extenuating circumstances or circumstances beyond their control: in either case the Dean or Constables shall be informed either by word of mouth or in writing of such intended absence and the reason thereof prior to any such meeting or event. In cases of emergency the absentee shall similarly make apology as soon as possible.

### Quorum

Seven Douzeniers shall constitute a quorum. Unless a quorum shall be formed, no decisions shall be binding.

### Duration

No meeting shall last longer than three hours. Unfinished business shall be held over until the next statutory meeting or at some other time as may be determined by the Chairman with the agreement of the Meeting.

### Conduct

No Douzenier or Constable shall bring the Douzaine or the Parish to disrepute. Nor shall they behave in such a manner as to negate their Oath of Office in whole or in part. Such derogation shall immediately be reported to the Law Officers of the Crown.

Dress at meetings should be smart (ties being optional) and proceedings at meetings will be conducted in a formal manner, with all comments addressed to the Chairman.

Members are present as volunteers and owe each other an assumption of good faith. At no time during a meeting should any member sense their personal integrity is being questioned or brought into doubt, and during the meeting no individual should be made to feel undermined or undervalued.

Members must not use their position for professional advertisement, such as issuing business cards which advertise their position as Constable or Douzenier or give the Constables' Office or Douzaine Room as a business address.

### Chair

Full Douzaine meetings are chaired by a Constable, the Senior Constable taking precedence, or in their absence by agreement with those present, the Dean or in his/her absence, the Vice-Dean.

Sub-committees are chaired by a member named by the Douzaine at the time of its appointment.

### Rules of Debate

The Chairman of any meeting will ensure that matters are debated fairly, that contributions are respectful and apt, that all viewpoints and voices are heard that wish to be, and that conduct is orderly. Normally the Chair will seek comments or address members in order round the table. Those wishing to speak out of turn should catch the Chairman's eye. The Chairman will acknowledge and ask for the individual's comments at the appropriate time. The Chairman may also seek the views of the parish secretary on any matter under discussion.

If the Chairman of any meeting anticipates or witnesses any inappropriate behaviour, he/she may propose temporary measures to the meeting before or as the matter is addressed/discussed, Such temporary procedures must be subject to a vote of the Douzaine on whether they may be applied. They may include warnings to or temporary disbaring of disruptive speakers. In extremis, the Chairman has the right to adjourn the meeting.

### Interest

In the age of social media, internet and mobile phone cameras, the integrity and value of government is under the public microscope as never before. The high standards of governance required of the States' political process also extends to local government. Public and media alike demand explanations and transparency, and are quick to judge. Reputations which took years to build may be destroyed in as many hours. The individual member must be protected from this spotlight, as much as the Douzaine as a whole.

To maintain objectivity and impartiality and ensure that their judgment could not be or viewed to be compromised, a member must not put their personal interests or those of any another person/organisation with whom they have a relationship before the interests of the Douzaine. All Douzeniers and Constables have undertaken an oath in the Royal Court, which they are bound to honour with regard to Parish Affairs.

A Member may not take advantage of any information obtained in the course of Douzaine work to further their commercial interest.

Where a Douzenier considers and/or confirms that they have or may be perceived to have a conflict of interest whether personal, political or financial on any matter being discussed by the Douzaine they should express that conflict as soon as practicable and offer to leave the room whilst that matter is being discussed.

Should a Douzenier believe that another Douzenier has a conflict on any matter being discussed by the Douzaine, such belief should be conveyed to the person chairing the meeting as soon as possible and the matter of conflict be resolved by the Douzaine as a whole.

The Memorandum and Articles of Incorporation of St Saviour's Community Centre LBG prohibit a sitting Douzenier from accepting a role as a Director.

### **Resolutions of the Douzaine**

The Douzaine shall be given fair warning of important forthcoming decisions. Resolutions which seek to call an Extraordinary Parish Meeting, or seek the acquisition or disposal of real property or financial reserves of the Douzaine, shall be notified at the meeting prior to the Meeting at which they are to be decided. The wording of such resolutions shall be circulated to members at least 3 days before they are debated, indicating who has proposed and seconded them.

Other resolutions may be proposed and seconded at the Meeting itself.

### Voting on resolutions

- a) Only agenda items can be voted upon. Items raised in 'Any Other Business' can be debated, but no decision taken. It may become an agenda item for the next meeting.
- b) Each Douzenier shall have one vote. In the event of a tied vote the motion shall be declared "not carried" and the status quo shall prevail.
- c) No decision of the Douzaine shall be binding unless agreed by a majority of those present.

- d) A Constable has no vote, unless he/she is also a Douzenier.
- e) Voting is by show of hands, unless 3 or more members demand a secret ballot.
- f) Voting by proxy is discouraged. However, if a Douzenier is aware that he/she will be absent for an important vote at a subsequent meeting, he/she may (either directly or through the Chair) ask the Douzaine's permission to vote at that subsequent meeting by proxy. If the meeting grants permission, the absentee must name a fellow Douzenier as their chosen proxy to the Constables in writing. The proxy is free to vote as they please, and will not decide how to vote on the absentee's behalf until hearing the debate presented on the day.

### Planning Department decisions

Proposed development plans requested from the Planning Department by the Douzaine shall be forwarded by the Constables to the Senior of Canton in which the proposed development lies. The Senior shall consult with other members of the Canton and when the proposal is for a large development (e.g. more than one dwelling on the same site) the Senior will call a meeting of the Canton members and also advise (by email) other Douzeniers where and when the plans are to be examined so that they may also view the plans.

The Senior shall communicate the decision of the Douzaine, their letter binding on the Douzaine even if some members have not been involved in the decision.

If a Canton objects to a planning request, the Douzaine will be made aware of the position at the next meeting and given the reason for objection – this may be in writing or verbally at the meeting.

### **Confidentiality**

The High level/low level detail of proceedings and deliberations of the Douzeniers and Constables at all meetings approved by the Douzaine shall be confidential.

*In January 2015 it was agreed that the minutes would be published on the Parish Website.*

### **Irregularity or Impropriety**

Should a Douzenier or a Constable consider that there be an irregularity or impropriety at any meeting then such Douzenier or Constable shall inform the Dean or in his/her absence the Vice Dean of their concern and the Dean or Vice Dean shall immediately seek to resolve the matter?

## **Statements to the Media**

The Dean or Vice Dean or in their absence a Constable, (the Senior Constable always taking precedence), only shall be responsible for issuing statements to the media on all matters pertaining to the Douzaine. On matters pertaining to the Parish, statements to the media shall generally only be issued by the Senior Constable or in his/her absence, the Junior Constable. In either case the Dean or Constable shall be given prior notice of such announcement.

Statements to the media can be made by anyone, but it should be stressed that this is a personal opinion, and not speaking or representing the Douzaine thought's/opinions - if not one of the designated officials.

## **Record-keeping**

Minutes of Douzaine Meetings (and where their Terms of Reference so stipulate, sub-committees) are taken by the secretary, or in his/her absence, one of the Constables. Draft minutes of Meetings are circulated first to the chairman of the meeting for correction and thereafter to the attendees for their comments. Draft minutes should be circulated to attendees at least 48 hours before they are proposed to be signed.

## **Data protection**

The Douzaine and Constables are registered with the Guernsey Data Protection Registrar. The Constables and Parish Secretary have a duty of care to protect and hold confidential personal data held on electronic files both accessed centrally within Island government, and stored locally at the Constables' Office.

## **E-mail communication**

Each member has a responsibility to ensure the security of Douzaine procedure /Information and to maintain the utmost confidentiality and integrity in all that it does.

E mail should be treated as formal communication and should be written in a professional and courteous manner. The misuse of e-mail will be treated seriously.

The Douzaine needs to be aware that email messages may be subject to Data Protection legislation if they identify living individuals and are held in automated form, or in live archive or back-up systems, or have been deleted from the live system but are still capable of recovery. They may also be subject to confidentiality rules if, despite having been deleted from the electronic system, they are stored in paper form.

Confidential Douzaine information should not be sent to or shared with anyone outside of the Douzaine. In order to protect the Douzaine from data breach, names of recipients should be checked prior to sending correspondence, particularly emails.

Any electronic document or email of a confidential or sensitive nature should be password protected and the password communicated separately to the e-mail communication.

Full minutes of meetings are published on the parish website. However, there are certain documents that should remain confidential and when a person leaves the Douzaine it is up to them to securely dispose of any confidential Douzaine information.

### **Information**

Each Douzenier or Constable shall on election be made aware in a manner approved by the Douzaine of all the foregoing. They shall also be briefed on the relationship with the States, and the information which the Douzaine receives from the States.

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