

Council Procedure Rules: Nomenclature

Report of the County Solicitor

Please note that the following recommendation is subject to consideration and determination by the Committee before taking effect.

Recommendation:

To consider:

- a) the advice of the Equality Reference Group; and
- b) any necessary changes to the Council's Constitution, Rules of Procedure (Standing Orders) and Working Practices to substitute an alternative and gender neutral term in place of 'Chairman'.

1. Summary

This Report is intended to update the Procedures Committee on the advice of the Equality Reference Group, following its consideration of the issue and subsequent advice to Procedures Committee (detailed below) of the use of an alternative, gender neutral, term in place of 'Chairman' and for Procedures to consider that advice in respect of amending the Council's Constitution, Rules of Procedure (Standing Orders) and Working Practices accordingly.

2. Background

In accordance with Standing Order 23(2), Councillor Brennan had previously asked that the Committee consider amending the Council's Constitution, Rules of Procedure (Standing Orders) and Working Practices to substitute an alternative, gender neutral, term in place of 'Chairman' – which was felt to be unacceptable in society today - for the person presiding at a meeting.

The Committee was invited to balance the status quo and any proposal for change against the Council's own 'Acceptable Language Guide', common usage and parlance, personal preference and any statutory provisions/applications.

At that meeting, a number of Members expressed the view that the Council should instead – as now – continue to adopt a flexible approach and recognise that the person presiding might wish to express a preference for how he/she/they would wish to be addressed rather than formally amending the Council's Constitution and Working Practices; noting for example, that the aforementioned contained around 200 references/mentions of the term 'Chairman' and there would be many more in other Council publications and on its website.

The Committee had nonetheless agreed, at its meeting on 5th July 2017, that the suggestion that the Council's Constitution should be amended by the deletion of the term Chairman and the substitution therefor of the term Chair be considered further at this meeting, together with the benefit of any advice from the Council's Equality Reference Group on that issue and alongside any other official documentation, as appropriate.

3. Equality Reference Group

The Committee is advised that the Equality Reference Group and Corporate Equality Officer considered this specific issue at its meeting in July 2017 and consequently gave advice for this Committee's consideration *that the Council should ensure gender neutral language in its written Constitution, removing the word "Chairman" and replacing it with "Chair" or "Chairperson" and ensuring also the use of his/her, s/he, or better still non-binary language: "their/them/they" as appropriate, accepting that an individual may refer to themselves or want to be addressed as "Chairman" or "Chairwoman" or other term, if he/she so wished.*

The Equality Reference Group further advised that *Members are reminded to take care to use gender neutral/inclusive language in practice. For example, not referring to Members or Senior Officers collectively/in general in the masculine, whether verbally or in writing.*

It is also worth considering that if the Committee were minded to recommend the County Council adopt a gender neutral approach, as outlined above, it would be deemed to apply automatically to the term Vice-Chairman.

4. Fawcett Report

It is worth highlighting to the Committee the recent report undertaken by the Fawcett Society (which works to redress inequalities in all its forms). This Local Government Commission (working with the Local Government Information Unit) asked the question '*Does Local Government Work for Women?*'. Whilst the report focussed more upon the processes associated with first becoming a candidate for Election through to becoming a Leader of a Council, the report makes a series of recommendations that would bring more women into Local Government and help them to play a full role at all levels.

Some of these recommendations, such as childcare issues, (the report finding that some Council's do not cover the costs of childcare or dependent care at all) are being considered by the Allowances Panel in relation to the Allowances Scheme in Devon who will report later in the year.

Whilst there is no specific mention of terminology with this specific report, it uses gender neutral language throughout and the Fawcett Society, previously, have published guidance on the use of gender neutral language, including a guide on how this is achieved in Parliament, particularly in respect of drafting Bills and new Legislation.

5. Equality Policy / Acceptable Language Guide

There is nothing in the Council's Equality Policy that mandates the need to use gender neutral terminology. There is an Acceptable Language guide which sets out some examples of what may or may not be "good to use". This is guidance to which reasonableness and common sense needs to be applied.

In that context, the Council has never wished to produce a long list of 'banned' words as often it is the context in which words are used that is more important, hence the publication of a guide rather than a policy.

6. GOV.UK

It is worth mentioning that 'writing for GOV.UK' guidance advocates using gender neutral text wherever possible, for example, using 'them', 'their', 'they' etc. Whilst this guidance is aimed at web based work, the principle will apply in a wider context.

7. Other Publications / Impacts

This Committee needs to consider if this change is to be adopted, then consideration needs to be given from when this would apply and to what.

In the first instance, changes would need to be applied to the relevant parts of the Constitution, which is a large undertaking in itself.

A further review would also be required of the Website as well as future agenda and minutes documents and any associated reports, not to mention press releases, letters and other publications.

It might be sensible to undertake such changes in line with other reviews of the documentation, for example, the review of the Constitution being undertaken by the County Solicitor, as outlined earlier in the meeting.

As a first step, if Members were minded to adopt the use of gender neutral language, it would be reasonably straightforward to make changes on the website as an immediate action.

6. Financial considerations

No financial implications have been identified.

7. Risk management considerations

In view of the matter being identified and remedial action taken, there are no further risks.

8. Environmental Impact and Public Health Considerations.

No environmental impact or public health implications have been identified.

9. Equality Considerations

The equality impacts can be highlighted in the societal shift towards using gender neutral language in official document and working practices.

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Electoral Divisions: All

Local Government Act 1972: List of Background Papers:

None

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