



Berwick upon Tweed Town Council

Council

29 June 2021

Appendix B

Report of Town Clerk

Clerk's ruling 1/2021-22

Access Public

On the correct forms of address to be used at meetings of council.

1. A councillor has asked whether, in light of changes to society, it is either correct or lawful to refer to the mayor, at council, as Mr Mayor, irrespective of their gender.
2. A little background may help. It is both traditional and right that, at council, those taking part are referred to by the office they hold, and, if necessary, by some other additional identifier. Where a role title is shared by more than one person, it is conventional to refer to that person by their role title, and by their last name. The issue is not one of self identification, but of making sure that observers can follow the debate, such that they will always be able to identify a councillor when they are referred to by another councillor or officer. Since councillors are elected on the basis of their name appearing in the format 'last name' 'other names' on the ballot, the last name used on the ballot should be the usual choice for elected members unless they have gone through some subsequent process of changing their last name.
3. In cases where two councillors share the same name, it is for all the affected councillors to make known to officers how they should be differentiated from others bearing the same surname. Again, given the need for observers to be able to follow the debate easily, officers will recommend that councillors choose to distinguish themselves, from a limited list made up, in the first rank, of title, first name, and ward represented. In this case title is strongly limited to those gendered titles used in everyday life: e.g. Mr, Ms, Mx and so on. Whilst we are careful to respect titles arising from professional achievement (Professor, Doctor...), or honourable recognition or inheritance (Sir, Lord...) all councillors are regarded, when performing their duties in the chamber, as first and foremost councillors, and, therefore, if such titles are to be used, they follow the title of councillor (e.g. Cllr Professor X) and then only when it is necessary to make clear which councillor is being referred to (see below).
4. We would respectfully remind elected members that all councillors with the same surname should be addressed in a way that differentiates them from others. The form used in some councils in the past, of referring to Cllr X and Cllr Mrs X, for instance, is potentially unlawful and we would strongly advise against its use. To use the example from para 3 above for instance, the correct form would be Cllr Mr X, and Cllr Professor X, or Cllr Mrs X, and so on.
5. It is the view of officers that these conventions should be followed not only for the benefit of observers but as a reminder to all participants that a debate at council is a formal performance of decision making that has strict conventions, such as the rules on remarks always being addressed through, and managed by, the chair, and members only speaking once except in limited cases.
6. Since there can be only one Mayor, one Sheriff, and one Town Clerk role titles alone suffice. This Council has, over time, adopted the convention of always referring to the

Mayor as Mr Mayor. I have not observed any meetings where the Town Clerk has self identified as anything other than male, and therefore have no knowledge whether this convention has always applied to Town Clerks.

7. My view as Town Clerk is that, in the absence of legislative provision, there is no rule that the Mayor should always be addressed as Mr Mayor, and no authority for council to make a Standing Order prescribing this. It is therefore my view that the Mayor should make clear at the start of each year, which title they wish to be used in conjunction with the role title of Mayor, if any, and that this should, as a matter that could engage the provisions of the Equalities Act, be observed by all elected members. I cannot emphasize enough that this is a case, where, irrespective of how significant members feel tradition to be, there is a small but significant risk of council breaching its equalities duties.
8. As your Town Clerk I have no preference as to how I am addressed, either by role title alone (Town Clerk) or by the title appropriate to the gender I present as and role title (e.g. Mr Town Clerk).

Author	GD	Town Clerk sign off (if required)	GD
Checked by	SC	Finance Officer sign off (if required)	N/A