

The Good Council Guide

A 'Good Council' - What is it?

Quite simply a 'good council' is a council that makes a difference.

At the end of a year a good town or parish council will be able to look back and see what it has achieved for the people it serves. It will have been active in dealing with problems and grasping opportunities in the parish, it will have found out about the aspirations and needs of people living in the parish and it will have taken some action to get them satisfied.

So a good council, whether it is large or small, will be an active council - active at a level appropriate to the circumstances and needs of the parish. But being active does require proper organisation and good working practices. A good council will have efficient day-to-day business procedures, it will have ways of communicating regularly with its electorate, the council and its clerk will work as a harmonious team and the council will systematically plan, budget and review its activities. This 'Good Council Guide' aims to help in all these matters.

Purpose of this guide

Town and parish councils (known as 'local councils') are part of local government in England and have many legal requirements to satisfy in their day to day business. In addition, years of experience have shown that there are certain ways of working which can be considered 'good practice'. The Cumbria Association of Local Councils (CALC) has brought these legal requirements and some of the more important aspects of good practice together into a compendium of 'recommended standards' which it hopes all local councils in Cumbria will seek to follow.

This 'Good Council Guide' is a guide to CALC's recommended standards. It explains what the standards are, why they are important and how they can be achieved. It seeks to help all councils become 'good councils'.

Business Matters

Unless it operates in a reasonably business-like manner, a local council will not be a pleasure to serve on or effective in meeting the needs of its electorate. With the adoption of agreed administrative procedures a council's business can be conducted in a legal and consistent way that the clerk, chairman, councillors - and the general public - all understand and abide by.

All councils should adopt a set of **Standing Orders**. These provide an agreed procedure for discussion, decision and action and bring certainty and consistency in the way business is conducted. They lay down how meetings are conducted, contracts handled and matters can be delegated to committees and officers. Standing Orders help avoid arguments and misunderstandings and ensure fairness to all involved. A set of 'model' Standing Orders is available from the CALC office.

In order to ensure accountability for the proper administration of the council's finances, all local councils are required by law to appoint a Responsible Financial Officer (RFO). This will often, but not always, be the council's clerk. Councils are also required to adopt a set of Financial Regulations. These serve a similar purpose to Standing Orders with respect to the financial procedures of the council. It is vital that the council and the Responsible Financial Officer are quite clear about their financial procedures, so that there is consistency and no suspicion of any impropriety.

The smooth running of a council's affairs will be further helped if it meets on a regular basis. With regular meetings, agendas and meetings do not become excessively long and council business can be dealt with thoroughly and quickly. All councils are required by law to meet on a minimum of four occasions a year, including the annual meeting. However, this is rarely sufficient in these days of growing council agendas and more and more consultations. All councils should aim to hold at least six meetings a year and for many councils there will be a need to meet even more frequently than this.

Even meeting six times a year may, on occasions, turn out to be insufficient if an urgent matter arises unexpectedly or a consultation is received with a response deadline prior to the next scheduled meeting. Councils need to have in place a procedure for handling these situations. It does not go down well with the electorate or a consulting body if a council pleads that it cannot deal with a matter because it won't be meeting for another month or so.

CALC has in place with all the major public bodies in Cumbria a protocol about **consulting with local councils**. This requires a minimum six week consultation period. But even this may not 'fit' with a council's meetings cycle. It is therefore important that councils have in place some form of delegation procedure which gets around this problem and also allows other genuinely urgent business to be dealt with. Usually such a procedure allows the council's clerk to act, in a manner consistent with council policy, following consultation with the chairman. The CALC office can provide a 'model' procedure for councils to adopt.

A council cannot be effective in serving its local community unless the community has 100% confidence in the integrity of councillors and believes that all council decisions are taken solely for the benefit of the community. For this reason all councillors are required by law to abide by the council's Code of Conduct and are required to sign a Declaration to that effect when they take up office. In addition all councillors are required to enter their financial and other interests in a Register kept for this purpose and which is open to inspection by the general public.

These legal requirements are there not only to protect the public interest, but also to protect councillors from accusations of improper behaviour, or worse, and for this reason they should be welcomed and not be viewed as an unnecessary invasion of privacy. Advice on these procedures, including how complaints about breaches in the Code of Conduct are handled, can be obtained from the council's clerk or the District Council's Monitoring Officer.



The Council as a team

A local council can be most effective in doing its work if everyone - the chairman, councillors and the clerk - work as a team, and in close harmony with their colleagues on the District and County Council.

Experience shows that the most effective and harmonious councils are those where the councillors and the clerk have:

- a good grasp of the legal, procedural and community aspects of local council work;
- a proper understanding of each others roles;
- a chairman who chairs meetings well, provides leadership and is forward looking;
- a clerk who is competent and adequately rewarded for the number of hours actually worked

The Chairman

The chairman is like the conductor of an orchestra; he/she provides direction and gets everyone working together. It is a council's purpose to address community issues and reach, without unreasonable delay, intelligible and lawful decisions for the right reasons. The chairman's duty is to ensure this end is achieved with harmony all round.

There is much that a chairman needs to think about: allowing all points of view a fair hearing, ensuring relevant information is available, checking councillors are clear about the issues for decision, screening out irrelevant matters, protecting the council from outside interference, creating a friendly atmosphere and ensuring business is conducted with reasonable speed. Importantly, the chairman needs to work in harmony with the clerk; drawing up agendas and supporting the clerk, as appropriate, in the implementation of council decisions.

These are considerable responsibilities, and the degree of competence with which they are carried out will greatly affect the effectiveness of a council. All chairmen, irrespective of experience in chairmanship outside local government, should consider undertaking specific training for council chairmanship. Such training events will fine tune a chairman's skills and are arranged periodically in Cumbria.

The Clerk

A competent Clerk is the bedrock of a good local council. Local councils are one of the statutory tiers of local government and the Government is looking to them to play a bigger

role in the delivery of services at the local level. Much of this additional burden will fall on the clerk.

The role of the clerk is to administer the council's business and to take action on the council's decisions. The clerk acts as an impartial advisor to the council and this role should be respected and supported by councillors.

All councils should give close attention to the workload of their clerk (frequently underestimated by councillors), the hours to be worked, the pay given and the training opportunities provided. A council should not shy away from making full financial provision in the council's budget to meet these obligations fully.

All clerks should have a Contract of Employment and a Job Description within which the number of hours worked and pay are agreed. The clerk will often also be the Responsible Financial Officer (RFO) and the duties of this role should be included. A 'model' contract and job description and information about salaries are available from the CALC office.

Training for clerks is regularly available in Cumbria and all councils should encourage their clerks to attend. All new Clerks should attend an Induction Course and, at a later stage more advanced training, all of which can usually be provided locally. In addition, councils are encouraged to pay for, or contribute towards, the cost of qualification training, such as the Certificate in Local Council Administration. Full details about training opportunities are regularly published by CALC.

Because local councils are one of the tiers of local government, it is useful to think of the 'council team' as extending to colleagues in the County and District Councils, both councillors and officers. The three tiers of councils have many common objectives and complementary roles in meeting them. A local council that actively works with its local District and County Councillors will usually achieve more for its community than one that doesn't. As a way of fostering co-operation, local councils are encouraged, as a minimum, to send copies of their agendas to their local County and District Councillors and invite them to attend. In addition it is helpful to send the minutes of meetings to County and District Councillors for their information.



Working with the people you serve

It may seem too obvious to say, but the purpose of a local council is to serve its electorate and respond to its needs. Just because a council has been elected, it does not mean that it

has a mandate to do what it thinks fit without further reference to the community. Being returned unopposed or co-opted does not reduce the responsibility either. A good council will put in place a variety of measures to ensure effective two-way communication. People should be encouraged to take an interest in what the council is doing, and the council should actively seek out the views of the community on a regular basis.

All councils are encouraged to carry out consultations with their electorate during the course of the year. However, finding the best way of consulting with the local community is not always easy. An ill thought out method can sometimes end in disaster. There are several possible approaches:

- a Community Appraisal where a comprehensive, community-wide, long term view is required,
- a public meeting when a quick sounding of views is required,
- a community discussion forum where regular soundings of community views are required
- an exhibition where more complex ideas have to be got across to the community
- a single subject consultation where the community's views on a single issue are required.

It is important to take care in deciding which approach is best for particular circumstances. In all parishes there is a legal requirement to convene an Annual Parish Meeting. (This is not the same as the annual meeting of the Parish Council). This is a meeting to which all electors are entitled to attend and vote. It can either be a thoroughly tedious affair with hardly anyone attending or, if it is well advertised and an interesting agenda prepared, it can be a good opportunity for the council to engage in some (relatively) informal discussion with its electorate. In very small parishes this will often be a sufficient opportunity to consult with the community, but in larger parishes consideration should be given to arranging other occasions.

It is also important that there is an avenue open for an individual in the community to raise concerns or express views to the council at a time of his/her choosing. All members of the community have the option of writing to the council on matters that concern them, but sometimes this is not enough. A solution is to have a specific item on the council's meeting agenda where members of the public are allowed to speak. Such public participation in council meetings is now very common and all councils should really adopt the practice if they want to be seen as a listening organisation.

Equally important is ensuring that the community is regularly informed on matters going on in the parish. At the most rudimentary level councils need to ensure there is an adequate distribution of notice boards around the parish. It is a legal requirement to publicly display agendas at least three clear days before council meetings and electors of the parish are entitled to see the minutes of meetings. So councils have an obligation to ensure council meeting agendas and minutes are available to the public and, particularly with respect to minutes, it is helpful if people are told where and when they can be seen.

However, if the aim is good communications with the electorate, rather more than this needs to be done. A broader range of information can be got across to the community with specially written, attractively presented publications and handouts, such as a regular newsletter and then, once a year, an Annual Report which might perhaps be presented at the Annual Parish Meeting. These publications do not need to be 'glossy' or very long; the key thing is that they should be informative, easy to read and widely circulated in the parish.

Communication with the community and other organisations can be greatly enhanced with use of the Internet. The government is committed to e-government which means that the majority of all government business, central and local, will be capable of being conducted on-line. All councils now need to have their own computer facilities and access to the Internet. It will become increasingly difficult to conduct a council's business and meet the expected levels of communication with the electorate without these facilities.

Getting things done

If a council wants to be successful in getting things done in the parish there does need to be a bit of organisation. It is usually helpful for a council to think of working on a regular cycle; starting with a review of community needs, drawing up plans to meet those needs, developing partnerships with others to implement the plans, budgeting for the plans, implementing actions and then reviewing what's been achieved.

The initial aim should be to get agreement in the council and the community on some council targets. The nature and scale of these targets will vary enormously from council to council. For some councils, particularly small ones, it might simply be a couple of small projects, funded from the council's own resources, which are recorded in the council minutes for action in the coming year. At the other end of the scale a council may have an ambitious set of projects set out in separate 'plan', to be implemented in partnership with other organisations and funded by a combination of external grants, contributions from other partners and the council's own resources. In these cases the work in preparing the plan is often best delegated to a committee or working group set up for the purpose. It is permissible to coopt people who are not councillors on to such committees. When a draft plan has been prepared it can then be considered by the full council.

In some cases the council's own targets may be derived from a wider Parish Plan. Such a plan looks at the needs of the parish as a whole and, following extensive discussions with the local community, sets out an 'action plan' to be funded and implemented by a range of organisations in partnership, including the parish council. In the right circumstances a Parish Plan can be very worthwhile and grants are available to help in drawing one up. However, the preparation of such a Plan does require careful thinking through and advice should be sought from Voluntary Action Cumbria before starting.

Before the council's targets can be finalised they need to be carefully costed. For many projects there will be grants available or perhaps financial contributions from other organisations, that are working in partnership with the council.

The costing of plans and projects will be key part of the process of preparing the council's Annual Budget. The annual budgeting process is more than simply agreeing the next year's precept. It is about systematically planning all items of expenditure and all sources of income, from grants as well as the council's own resources.

Once the financial year gets underway the council will need to receive regular budget monitoring reports which will be linked to the council's formal internal auditing procedures and to regular progress reports on individual projects. Then around the end of the year the council should conduct a review of achievement of targets. This need not be an elaborate exercise, it is simply a matter of reviewing each target in turn and assessing the degree to which it has been met and if not, why not.

Another indicator of the council's performance is the annual audit of accounts conducted by the council's Internal Auditor and the Audit Commission. The Annual Return is used for this purpose and the aim of all councils should be to receive an unqualified opinion from the Audit Commission. A comprehensive guide to governance and accountability in local councils has been produced jointly by the National Association of Local Councils and the Society of Local Council Clerks (SLCC). This is available from the SLCC office in Taunton.

A final word - it is important not to 'go over the top' on the guidance given in this section. It should always be adapted to the circumstances of an individual community and council. A small council will carry out the steps described in a simpler and quicker manner than a large council.

And finally...

People choose to get involved with their local council, as a councillor or clerk, because they want to make a contribution to their community. But they also want to enjoy themselves. This will only happen if the council is well organised, clear in its objectives and has the confidence of the community it serves. So a 'Good Council' is not only good for the local community - it should also be enjoyable for those who are part of it!

For more details on good councils contact the Cumbria Association of Local Councils (CALC) on 01768 812663, email: office@calc.org.uk, or write to :

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