

Report to: Education & Communities Committee

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Report No: EDUCOM/11/14/MP

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Subject: Improving the Effectiveness of Community Councils in Inverclyde

1.0 PURPOSE

1.1 The purpose of this report is to:

- Advise Committee of national and local developments which result in an increased expectation of engagement with communities generally and with Community Councils in particular
- Update the CMT on progress in the implementation of the Inverclyde Council's Scheme for the Establishment of Community Councils (the Scheme) as approved in 2011
- Make proposals to enhance Inverclyde Council's engagement with and support of Community Councils.

2.0 SUMMARY

2.1 A number of national developments indicate an increased expectation from Scottish Government and Audit Scotland with regard to engaging with communities.

These national developments include:

- SOA guidance
- Strategic Guidance for Community Planning Partnerships: Community Learning and Development (June 2012) and SSI Requirements for Community Learning and Development (Scotland) Regulations 2013
- Community Empowerment Bill
- Audit of community planning partnerships.

2.2 At a local level improvement actions in this regard are referred to in the

- Alliance Improvement Plan
- Directorate Improvement Plan: Education, Communities and Organisational Development.

2.3 Following the necessary statutory consultation process, the Scheme was approved by the Inverclyde Council in April 2011. Two rounds of elections held in 2011-12, following the approval of the Scheme, resulted in Community Councils being formed in 9 of the 11 Community Council areas, of which only one was contested. This leaves 2 areas without Community Councils. The strength and effectiveness of Community Councils vary across Inverclyde.

2.4 The Scheme is administered by Legal and Democratic Services. Support for capacity building is provided through the Community Learning and Development (CLD) Service. As part of their role, Legal and Democratic Services in consultation with the Community Councils in question, completed interim elections for 3 Community Councils. As part of the support they provide CLD are in discussion with other Community Councils on possible interim elections or co-options.

- 2.5 There is a statutory requirement to consult with Community Councils about planning and licensing applications. The extent to which other services of the Council and its partners engage with Community Councils varies considerably.

3.0 RECOMMENDATIONS

It is recommended that the Committee:

- 3.1 Note developments at a national and local level which highlight a need for enhancing engagement with and support for Community Councils in Inverclyde.
- 3.2 Note the progress made in the implementation of the Scheme.
- 3.3 Approve proposals for enhancing Inverclyde Council's engagement with and support for Community Councils, specifically in respect of:
- Areas with no Community Council
 - Community Councils with an imbalance of co-opted members
 - Action should any areas remain without a Community Council
 - Supporting services to engage
 - Supporting Alliance Partners to engage
 - Elected Member champion
 - Working with other representative organisations
 - Forum of Community Councils
 - Training and support for Community Councils
 - Training and support for Elected Members.

4.0 BACKGROUND

This report looks at ways in which Community Councils in Inverclyde could be supported and developed to become improved mechanisms for engagement between the Council and local communities, as well as being better at representing the views of local residents and the various groups operating in communities.

The report also looks at ways in which Inverclyde Council officers and Elected Members could be supported and given development opportunities to help them to engage more effectively with Community Councils.

4.1 National Developments

Guidance for new SOAs December 2012

This re-asserts the Statement of Ambition and indicates that each new SOA should demonstrate that both 'activity on community engagement' and 'building the capacity of communities to engage and deliver for themselves' is 'properly planned, resourced and integrated across partners'.

Audit Scotland Report 'Improving Community Planning in Scotland

Notes that 'Community Planning takes account of a wide range of activity, but there is a long way to go before services are truly designed around communities and the potential of local people to participate in, shape and improve local services is realised.' Engaging effectively with Community Councils will help to improve how communities identify solutions to local problems, and get involved in taking decisions about investing in services or local facilities or withdrawing from them.

The Audits of Community Planning Partnerships, covering North Ayrshire, Scottish Borders and Aberdeen highlight the need to strengthen how CPPs work with local communities to unlock their potential and encourage them to take a more active role in identifying and delivering local improvements. Again Community Councils have a key role to play in this and if they can be supported to facilitate this, more effective co-production approaches can be developed between CPP partners and communities.

Strategic Guidance for Community Planning Partnerships: Community Learning and Development (June 2012) and SSI Requirements for Community Learning and Development (Scotland) Regulations (September 2013)

These require the local authority to have 'a clearly defined framework for planning and delivering CLD, to have 'regard to the needs of the communities within the area' and to consult with target individuals and groups'.

Community Empowerment Bill Consultation

Part of the Bill 'aims to empower communities by giving them the lead in starting discussion with the public sector on their own terms about things that matter to them' and proposes a 'community right to request to participate in processes to improve outcomes of service delivery'.

4.2 Local Developments

Alliance Improvement Plan

This highlights a need for 'Leaders to ensure effective community and stakeholder engagement, involving better measurement and testing of impact, as well as improving engagement between the Boards and the Community Engagement and Capacity Building Network'.

Directorate Improvement Plan: Education, Communities and Organisational Development

This identifies an improvement action to support community representatives to become skilled and confident in meeting the challenges of their changing role.

Directorate Improvement Plan: Environment, Regeneration and Resources

This identifies an improvement action for Legal and Democratic Services to develop a suite of materials to support both the service and the Community Councils in implementation of the Scheme.

4.3 Progress on the implementation of the Scheme

Following approval of the Scheme, a round of elections held in September 2011 resulted in Community Councils being formed in six of the eleven Community Council areas. In only one of these were there more nominations than vacancies, resulting in a contested election. The remainder were uncontested.

A second round of elections in February 2012, resulted in two further Community Councils being formed, again uncontested. This leaves two areas without Community Councils.

The Scheme provides for interim elections which can arise either to fill vacancies or where the level of co-opted membership on a Community Council exceeds that permitted under the Scheme. In 2013, Legal and Democratic Services held 3 interim elections to fill vacancies that had arisen 3 of the Community Councils, in liaison with and at the request of those community councils.

Legal and Democratic Services fulfils the Community Council Liaison role as detailed at 4.4 below.

The strength and effectiveness of Community Councils varies across Inverclyde

4.4 Engagement with and support for community councils

There is a statutory requirement to consult with Community Councils on planning and licensing applications. The extent to which others services of the Council and its partners engage with Community Councils varies considerably.

Community Councils meetings are well attended by elected members from the relevant wards.

The CLD Service: Community Work Team undertakes capacity building work with Community Councils in disadvantaged areas and supports all Community Councils to access information and training. The purpose of this work is to help build the capacity and capability of Community Councils to engage effectively in an open, transparent and positive manner alongside other community organisations, allowing them to represent their community and enabling them to inform strategic decisions from a grass roots level. An important feature of this support is that it enables Community Councils and other neighbourhood groups to do this for themselves and not have this done on their behalf or for them. This approach takes more time and resources but results in stronger, more resilient groups that have skilled, confident members who are more effective and able to achieve positive outcomes on behalf of the communities they serve. The CLD Service: Community Work Team has insufficient staffing and resources to offer this comprehensive support to all Community Councils and has had to focus provision in the most deprived areas.

The Code of Conduct for Community Councillors (appendix 1) informs support and training and its key principles should underpin all actions taken by Community

Councillors. The key principles of the code are:

- Service to the Community (Public Service)
- Selflessness
- Integrity
- Objectivity
- Accountability and Stewardship
- Openness
- Honesty
- Leadership
- Respect.

(It should be noted that the CLD Service: Community Work Team do not have a role in enforcing adherence to the above Code.)

As part of the support they provide CLD are in discussion with Community Councils with a view to filling vacancies and strengthening their numbers in accordance with the Scheme, either by co-option or further interim elections.

In the Community Council Liaison role, Legal and Democratic services deal with day to day queries from the Community Councils on the terms of the Scheme, administer the release of the administrative grant and record the minutes of meetings and annual accounts provided by the Community Councils. The service is also preparing, in consultation with CLD, the materials referred to at 4.2 above, in the form of a handbook, to assist the Community Councils fulfilling their role, with particular reference to the terms of the Scheme.

A Forum of Community Councils formerly operated in Inverclyde under the previous scheme. A representative from this forum still represents Community Councils on the Alliance Board.

5.0 PROPOSED ACTION

5.1 Implementation of the Scheme

5.1.1 Areas with no Community Council

Elections can be called in these areas following receipt of 20 signatories from residents requesting an election be held. It is proposed that the CLD Service: Community Work Team undertake consultation in these areas to assess interest in establishing a Community Council and to support residents to come forward to stand for election.

5.1.2 Community Councils with low membership or co-opted membership exceeding that permitted under the Scheme.

To assist these Community Councils and to help raise the profile of Community Councils generally, it is proposed that they are supported to hold interim elections in accordance with the scheme.

5.1.3 Action should any areas remain without a Community Council

The two areas where Community Councils have not been formed are i) Greenock East and ii) Holefarm and Cowdenknowes.

It should be noted that there were not sufficient nominations submitted by the required closing dates for Greenock East in either of the two rounds of elections referred to at 4.3 above. However in the February 2012 round, late nominations were received, and it is therefore anticipated by officers that the action described at 5.1.1 above may result in a Community Council being formed in Greenock East.

Officers are however aware that residents of Holefarm and Cowdenknowes have consistently stated their reluctance to form a Community Council around the current

boundaries. Neighbouring Community Councils may be open to the amendment of their boundaries to accommodate their requests, however such a change constitutes a change to the Scheme itself requiring the Council to go through the same statutory consultation process as on the last review.

It is proposed that should a Community Council be formed in Greenock East and not in Holefarm and Cowdenknowes, consultation should take place with the relevant communities to establish if boundaries could be amended to their mutual satisfaction. If these proposed amendments are acceptable to elected members, the statutory consultation process would be followed to confirm them.

5.2 Engagement with and support for Community Councils

5.2.1 Supporting services to engage

The following are proposals for action to encourage all Council services to engage effectively with Community Councils:

- Guidance on engaging with Community Councils is developed building on the nationally endorsed 'Good Practice Guidance for Local Authorities and Community Councils' and disseminated to all staff through e-mail and on icon. A workshop to launch the guidance to representatives of all Services would be a further option.
- Each Service to nominate a contact person to be advised of changes and developments in relation to Community Councils and offered opportunities for their Service to engage with them. The contact person would have responsibility to further disseminate the information within their own service as appropriate.
- Those Services who do not have representation on the Community Engagement and Community Capacity Building (CE/CCB) Network to nominate a member of staff to attend.

5.2.2 Supporting Alliance Partners to engage

The measures described at 5.2.1 above would be extended to include Alliance Partners and supported and progressed through the CE/CCB Network.

5.2.3 Elected Member champion

Inviting an elected member to champion Community Councils would help raise the profile of Community Councils as the key mechanism through which the Council will engage with its local communities. This could also be extended to champion community engagement generally.

5.2.4 Working with other representative organisations

A growing number of organisations exist to represent the views of neighbourhood communities and communities of interest. Some network with each other and are linked to a Community Council but many operate in isolation. This places heavy demands on officers to attend meetings and respond to requests and detracts from the voice of these communities being effectively heard. It is proposed that where the Council is contributing financially to these organisations through grant funding or the use of facilities, then conditions are put in place requiring them to network and to work with their Community Council when appropriate.

5.2.5 Forum of Community Councils

Several Community Councils have expressed an interest in networking together and in re-establishing a Forum of Community Councils. It is proposed that assistance with this is provided by the CLD Service: Community Work Team. Provided that the members of the forum are agreeable, it is intended that such meetings will be periodically attended by an officer of Legal and Democratic Services to deal with any shared issues arising from the Scheme.

5.2.6 Training and support for Community Councils

The Scheme refers to the provision of training and support for Community Councils. Currently this is substantively facilitated and/or provided by the CLD Service: Community Work Team. It is proposed that a broader programme, including inputs from a range of Services and Partners, is formulated and delivered in support of the developments outlined above.

5.2.7 Training and support for Elected Members

Community Councils in Inverclyde are well supported by their elected members. However, the above developments will introduce changes to the custom and practice operation of Community Council meetings. Training and support will be offered to Elected Members to raise their awareness and understanding of these developments.

6.0 IMPLICATIONS

6.1 **Financial implications:** none

6.2 **Human Resources:** N/A

6.3 **Legal:** As outlined above

6.4 **Equalities:** Work to support Community Councils will ensure that they are fully representative of their communities, and this will include training on ensuring people with protected characteristics are represented and their view inform any engagement.

6.5 **Repopulation:** Strengthening Community Councils will mean that communities will become more successful and engaged with services/organisations across the CPP, helping to develop services which better meet community needs. This should make Inverclyde an attractive option to continue to live or move to.

Appendix 1

CODE OF CONDUCT FOR COMMUNITY COUNCILLORS

The Code of Conduct for Community Councillors is based largely on the Code of Conduct for local authority councillors and relevant public bodies as provided for in The Ethical Standards in Public Life etc (Scotland) Act 2000.

Community Councillors, as elected representatives of their communities, have a responsibility to make sure that they are familiar with, and that their actions comply with, the principles set out in this Code of Conduct. The Code of Conduct and its principles, shall apply to all Community Councillors and those representing the Community Council. These principles are as follows:

- Service to the Community (Public Service)
- Selflessness
- Integrity
- Objectivity
- Accountability and Stewardship
- Openness
- Honesty
- Leadership
- Respect

Service to the Community

As a Community Councillor you have a duty to act in the interests of the local community, which you have been elected or nominated to represent. You also have a duty to act in accordance with the remit of the Councils Scheme for the Establishment of Community Councils, as set out by your local authority under the terms of the Local Government (Scotland) Act 1973.

You have a duty to establish and reflect, through the Community Council, the views of the community as a whole, on any issue, irrespective of personal opinion.

You should ensure that you are, within reason, accessible to your local community and local residents. Various mechanisms to allow the general community to express their views, i.e. suggestion boxes, community surveys, opinion polls should, where possible, be made available.

Selflessness

You have a duty to take decisions solely in terms of the interest of the community that you represent. You must not use your position as a Community Councillor to gain financial, material, political or other personal benefit for yourself, family or friends.

Integrity

You must not place yourself under any financial or other obligation to any individual or organisation that might reasonably be thought to influence you in your representation of your community. If you have any private and/or personal interest in a matter to be considered by the Community Council, you have a duty to declare this and if deemed necessary by other members, withdraw from discussions and the decision making process with regard to that matter.

You should not accept gifts or hospitality that may be seen to influence or be intended to influence your opinion or judgement. The offer and/or receipt of any gifts, regardless of form, should always be reported to and noted by the Secretary of the Community Council.

Objectivity

In all your decisions and opinions as a Community Councillor, you must endeavour to represent the overall views of your community, taking account of information which is provided to you or is publicly available, assessing its merit and gathering information as appropriate, whilst laying aside personal opinions or preferences.

You may be appointed or nominated by your Community Council to serve as a member of another representative body. You should ensure that this Code of Conduct is observed when carrying out the duties of the other body.

You are free to have political and/or religious affiliations; however you must ensure that you represent the interests of your community and Community Council and not the interests of a particular political party or other group.

Accountability and Stewardship

You are accountable for the decisions and actions that you take on behalf of your community through the Community Council. You must ensure that the Community Council uses its resources prudently and in accordance with the law.

Community Councillors will individually and collectively ensure that the business of the Community Council is conducted according to the Council's Scheme for the Establishment of Community Councils and this Code of Conduct.

Community Councillors will individually and collectively ensure that annual accounts are produced showing the financial undertakings of the Community Council as set out in the Councils Scheme for the Establishment of Community Councils. They must also ensure that all resources are used efficiently, effectively and fairly and are used strictly for the purposes of Community Council business and for no other purpose.

Minutes of Meetings recording all actions and decisions made should be produced and circulated to all members of the Community Council as soon as possible after each meeting.

Any breach of the Council's Scheme for the Establishment of Community Councils as set out by your local authority under the terms of the Local Government (Scotland) Act 1973 may be reported to your local authority to determine what action, if necessary, should be taken.

Openness

You have a duty to be open about your decisions, actions and representations, giving reasons for these where appropriate. You should be able to justify your decisions and be confident that you have not been unduly influenced by the views and/or opinions of others.

If you have dealings with the Media, members of the public, or others not directly involved in your Community Council, you should ensure that an explicit distinction is made between the expression of your personal views and opinions from any views or statement made about or on behalf of the Community Council.

Honesty

You have a duty to act honestly. You also have an obligation to work within the law at all times. You must declare any private interest relating to your Community Council duties and take steps to resolve any conflicts arising in a way that protects the interest of the community and the Community Council.

Leadership

You have a duty to promote and support the principles of this Code of Conduct by leadership and example, to maintain and strengthen the community's trust and confidence in the integrity of the Community Council and its members in representing the views and needs of the local area. You must also promote social inclusion and challenge discrimination in any form.

You should act to assist the Community Council, as far as possible, in the interest of the whole community that it serves. Where particular interest groups' concerns are in conflict with those of other groups or other areas you should help to ensure that the Community Council is aware of them.

Respect

You must respect fellow members of your Community Council and those that you represent, treating them with courtesy, respect and in a non-discriminatory manner at all times. This should extend to any person, regardless of their position, you have dealings with in your capacity as a Community Councillor.

Recognition should be given to the contribution of everyone participating in the work of the Community Council. You must comply with Equal Opportunities legislation and ensure that equality of opportunity be given to every participant to have their knowledge, opinion, skill and experience taken into account.

You should ensure that confidential material, including details about individuals, is treated as such and that it is handled with dignity and discretion and is not used for personal, malicious or corrupt purposes.