

FALKIRK COUNCIL

Subject: POLICY DEVELOPMENT PANEL – REVIEW OF THE SCHEME FOR THE ESTABLISHMENT OF COMMUNITY COUNCILS AND SUPPORT – UPDATE
Meeting: EXECUTIVE
Date: 27 MAY 2014
Author: CHIEF GOVERNANCE OFFICER

1. PURPOSE

- 1.1 The purpose of this report is to present the interim findings of the policy development panel established to review the Scheme for the Establishment of Community Councils, and the support provided by Council to its community councils.

2. POLICY DEVELOPMENT PANEL

- 2.1 The policy development panel (pdp) was established on 6 August 2013 by the Executive to review the current Scheme for the Establishment for Community Councils (the Scheme) and associated support. The terms of the remit included “a full appraisal of current levels of funding to community councils with a view to assessing what levels of financial and secondary support are adequate to allow community councils to fully comply with their statutory remit.”
- 2.2 The panel comprised Councillor Craig Martin (Chair) and Baillie Joan Paterson. It was supported by Brian Pirie (Democratic Services Manager/Community Council Liaison Officer); Shona Barton (Committee Services Officer); Chloe Hunter (Funding Support Officer), and Andrew Cassells (Graduate Trainee Committee Services Officer).
- 2.3 The panel met on 8 occasions – 10 October 2013, 30 October 2013, 20 November 2013, 4 December 2013, 2 April 2014, twice on 30 April 2014 (the second of these was an information gathering session with representatives of Community Councils in the area) and on 14 May 2014. The notes of the meetings are attached as **appendix 1**. The panel has completed the majority of its review and its findings and recommendations thus far are set out later in the report.

3. REMIT OF COMMUNITY COUNCILS

- 3.1 Community councils are established by virtue of the Local Government (Scotland) Act 1973 (the Act). Their role is to:

“ascertain, co-ordinate and express to Local Authorities for its area, and to public authorities, the views of the community which it represents, in relation to matters for which those authorities are responsible, and to take such action in the interests of that community as it appears to it to be expedient and practicable”

- 3.2 There are approximately 1200 community councils across Scotland as a whole.

4. SCHEME FOR THE ESTABLISHMENT OF COMMUNITY COUNCILS

- 4.1 The Act requires that Local Authorities set up a Scheme for the Establishment of Community Councils in their area. Schemes should identify the number of community councils to be established within the Council area together with maps of their respective boundaries and set out provisions relating to qualifications of electors, elections or other voting arrangements, composition, meetings, financing and accounts of the community councils.
- 4.2 The Act is supplemented by the Local Government etc. (Scotland) Act 1994 which sets out the process for adopting, revoking and reviewing a Scheme. This is relevant to the work undertaken by the panel. Should the Executive agree to accept the recommendations of the panel regarding the current Scheme it would be obliged to initiate a lengthy three stage consultation on any revised Scheme.
- 4.3 The Council's Scheme for the Establishment of Community Councils provides for 23 community councils to be established in the Falkirk Council area. This is attached as **appendix 2** to the report. The Council also adopted a constitution for community councils which all community councils are required to adopt.
- 4.4 There are currently 17 active community councils in the area. The panel did not consider, as part of its review, the number and boundaries of community councils. Its review focussed on the governance framework and the support provided by Falkirk Council.
- 4.5 The Council's current Scheme dates to March 2000. It has therefore been in place for 14 years without review.
- 4.6 In 2009 the Scottish Government produced a model Scheme for the Establishment of Community Councils and associated documentation including a model constitution, standing orders and code of conduct for community councillors. The model Scheme (**appendix 3**) is a generic document representing the best practice found across Scotland. The intention of the Scottish Government in developing the model documents was to establish a consistency of operational arrangements across Scotland and to "enable community councils to engage effectively in an open and transparent manner within their community". The adoption of a code of conduct for community councillors would, it was intended, help develop a culture of accountability for the actions and decisions of community councillors. Noticeably the code of conduct relies on the integrity of community councillors to abide by its terms and there is no mechanism for alleged breaches of the code to be dealt with by either the community council or indeed the Local Authority. The Executive on 6 August 2013 agreed to endorse the model code of conduct for adoption by each community council.
- 4.7 The model Scheme was developed in consultation with a wide range of stakeholders including Local Authorities, community councils and the (then active) Association of Scottish Community Councils. It should be noted that, although written in a more user friendly style, the content of the model Scheme broadly reflects the provisions of the current Scheme.

4.8 Currently 24 local authorities have adopted the model Scheme as the basis of their own Schemes

4.9 The Scottish Government also published Good Practice Guidance for Community Councils, Community Councillors and Local Authorities to sit with the model Scheme.

5. REVIEW OF THE SCHEME FOR THE ESTABLISHMENT OF COMMUNITY COUNCILS

5.1 The panel met on 10 October 2013 to set out the scope of its review. It agreed to form a focus group comprising of current and former community councillors to assist the panel and provide views based on experience. The focus group comprised: Danny Callaghan (Reddingmuirhead Community Council); Margaret Cheyne (Larbert, Stenhousemuir & Torwood Community Council); Walter Inglis (former community councillor); and Pauline Rodger (former community councillor). Frank McChord (Local Community Planning Officer) was also invited to participate.

5.2 The panel met with the focus group on three occasions (30 October, 20 November and 4 December). The panel considered first the current Scheme, then the model Scheme and at its final meeting compared both.

5.3 In general terms there was a consensus amongst the focus group and the panel members that the current Scheme was fit for purpose. However the focus group members suggested that it was written in a way which community councillors found difficult to follow - 'overly bureaucratic' – and as a consequence it was not a document which community councils made reference to. This often led to confusion when interpreting its provisions. In contrast the group and panel agreed that the model Scheme was more user friendly. It was, all parties agreed, written in plain English and set out logically. In terms of content the model Scheme contained the majority of the provisions of the Council's Scheme and could therefore be adopted by Falkirk Council, if it was so minded, with only minor operational changes required.

5.4 A summary of the main points of discussion in regard to the current and model Schemes is set out below:-

- Any new Scheme should be written in plain English and be user friendly for both Council officers and community councillors.
- Any new Scheme should set out the legal definition of the purpose of community councils as set out in the Act at the outset.
- Any new Scheme should clearly set out the numbers of members and composition of each community council.
- The current for appointing members of local organisations is too bureaucratic, and the provision in the current Scheme that a representative of a local organisation cannot be re-elected for consecutive terms should be removed from any new Scheme.
- The current nomination procedure should be simplified.

- The model Scheme refers to ‘recognised consultative mechanisms’. It was considered that the Council could provide advice on consultation mechanisms but the need for these to be agreed was unnecessary.
- The Scottish Government’s Best Practice Guidance should accompany any new Scheme as a supporting document and should be the basis of any training provided to community councils.
- The timescale for the first meeting after an election should be increased from 21 days to 32 days to allow arrangements to be made
- The current minimum number of meetings (9 per year) should be retained.
- The provision in the model Scheme on ex-officio membership was unnecessary.
- The code of conduct for community councillors should be included within the associated documentation of any new Scheme.

5.5 A draft Scheme, based on the model Scheme and taking into account the views expressed by the focus group and panel has been developed. This contains 4 main provisions which differ from those set out in the current Scheme:-

- (1) **Minimum Age** - the model Scheme proposes a minimum age for community councillors of 16. It is currently 18. There would be benefits in adopting the lower age – increased and more representative membership being the most obvious. The Assessor has confirmed that not all 16 year olds are included in the electoral roll, and compiling a comprehensive list in order to determine eligibility or for voting if the electorate was expanded to include 16 year olds may be difficult.
- (2) **Forming a Community Council** - in terms of nominations the model Scheme states that if the number of candidates is half or more of the maximum elected membership then the community council will be formed. The current Scheme does not include such a provision and the current practice has been to require two thirds.
- (3) **Nomination Process** - the current Scheme requires a nomination to be supported by two seconders and two assentors. The model Scheme requires only a proposer and a seconder. Experience has shown in previous elections that the current provision has led to confusion amongst potential nominees and has, in some cases, prevented valid nominations being made. The streamlined process set out in the model Scheme could increase the number of valid nominations received.
- (4) **Local Organisations** - the current Scheme provides that representatives of local organisations cannot sit on a community council for consecutive terms. The model Scheme does not include this provision and by adopting it community councils would be able to retain experience and consistency in membership. On occasion the current provision has precluded experienced representatives from continuing to support their local community.
- (5) **First Meeting After the Election** - it was proposed to increase this from 21 days after the election to 32.

- 5.6 The panel met on 2 April 2014 and considered the revised model Scheme (**appendix 4**). The panel agreed to issue this together with the current Scheme and the model Scheme itself, to community councillors for comment. The panel also agreed to hold a further meeting on 30 April 2014, to which representatives of all community councils would be invited to attend. The purpose of this meeting was to discuss the issues raised at earlier meetings, and to discuss the revised model Scheme with community councillors. The panel also agreed to meet with the focus group immediately prior to the meeting.

6. SUPPORT TO COMMUNITY COUNCILS

- 6.1 The Act states that Local Authorities “may make such contributions as they think fit towards the expenses of community councils within their areas, may make loans to those councils and may at the request of those community councils provide them with staff, services, accommodation, furniture, vehicles and equipment, on such terms as to payment or otherwise as may be agreed between the councils concerned.” The extent of the support and the range of funding available to community councils varies across Scotland.

- 6.2 The main areas of support offered by Falkirk Council are:-

- **Funding (Administration Grant)** – community councils may apply for a grant to cover their administrative costs. The grant comprises two elements – a core grant of £250 supplemented by a per capita rate (based on the community council’s proportion of the population of the area). **Appendix 5** shows the amounts available to each community council.
In 2013/14, 8 of the 17 active community councils applied for this funding. The overall budget of £10,380 is usually underspent:- 2010/11 - £4,599 remaining, 2011/12 - £656, 2012/13 - £6,169 and 2013/14 - £5,430.
- **Funding (Community Grants Projects)** – community councils may apply for funding for specific projects from the Community Grants budget. The maximum award under this budget is £5,000. In 2013/14 two community councils received funding from this budget.
- **Funding (Guidance)** – advice on availability of additional funding streams, and how to apply is provided through the funding support officer.
- **Use of Council Accommodation** – the Council does not charge community councils for hire of halls – for example school halls. Similarly community councils are not charged by Falkirk Community Trust for the hire of its facilities.
- **Community Council Liaison Officer** – a team within Governance comprising of the Community Council Liaison Officer (Democratic Services Manager), a Committee Services Officer and Graduate Trainee Committee Services Officer currently provide support and guidance to the Community Councils and Community Councillors. They provide training, manage the election process, act as a gateway to Council services and manage a small budget of around £5,000 which can be used to support community councils (as an example the budget was used to meet the cost of printing flyers as part of a promotional campaign).
- **Photocopying** – free photocopying is available in One-Stop-Shops.

- **Website** – the Council’s website contains comprehensive information on the community councils in its area. The website is in the process of being updated. The content, which includes contact information and minutes/agendas of community council meetings, is managed by the Community Council Liaison Officer.

6.3 The panel discussed support at its meetings with the focus group in 2013. A summary of the main issues is given below:-

- Falkirk Council should review the financial assistance that is given to each community council – however there was no evidence to suggest that the funding was insufficient.
- The letting process for Falkirk Council properties is too bureaucratic and inflexible
- Falkirk Council should provide community councils with equipment such as laptops/PCs
- There would be value in establishing a forum, possibly online, to share best practice.
- The grant process was prohibitive.
- The Council had a role to play in promoting community councils.

6.4 At its meeting on 2 April 2014, the panel agreed to issue a questionnaire to all community council secretaries. The purpose of the questionnaire was to ascertain the respective community council’s views on the support which is available. The questionnaire set out questions about funding, equipment, accommodation, Community Council Liaison Officer support and on the promotion of community councils. On the last of those, the panel was advised that feedback from the Council’s Citizens Panel in December 2013 had indicated a general lack of awareness of community councils or their roles. For example, 66% from a pool of 561 did not know if there was a community council in their area, 80% of respondents indicated that they were not interested in becoming a community councillor and 79% of respondents had been unaware of the elections that had taken place in October 2013. It was agreed therefore that the questionnaire should probe the extent to which community councils promote themselves and look at the role of the Council in promoting its community councils.

6.5 The panel also agreed that it would meet with the representatives from each community council on 30 April to hear their views on the support provided. The responses to the questionnaire and the evidence from the meeting would assist the panel form its recommendations.

Survey of Community Council Support

6.6 The questionnaire on support was issued to each of the community councils on 4 April 2014. The purpose of the survey was to gather the views of community councillors on the support available to them and importantly to determine whether they made use of the varying types of support available and, if not, whether there were barriers which prevented them from doing so. The questionnaire focused on 5 key areas:-

- Funding
- Accommodation

- Equipment
- Community Council Liaison Officer
- Promotion of Community Councils

6.7 Eleven responses were received from eight community councils. The questionnaire and responses are set out in **appendix 6** and are summarised below:-

- **Funding (Administration Grant)** – all respondents were aware of the availability of the fund and of its purpose. The majority considered that the fund was sufficient to allow their community council to operate. One response however indicated that community councillors are often ‘out of pocket’; with another noting that the grant was not sufficient enough to allow them to employ a minute secretary. On the latter point, the panel was advised at its meeting of 30th April that funding for a minute secretary could be made from the community grants fund. However it was accepted at this meeting that this was not widely known.

The community councils which responded were those that had applied for an administrative grant in 2013/14. Responses were split as to whether the grant was fully spent. Two responses indicated that the application process was a barrier to applying for the grant.

Not all community councillors claim for expenses incurred. This may explain why community councillors can find themselves “out of pocket”. This point was further explored at the meeting on 30 April where the panel heard that, although some community councillors may be content to meet small expenses from their pocket, this should not be the case and that all should be encouraged to claim for expenses incurred through the administrative grant paid to their community council.

- **Funding (Community Grants Projects)** – The majority of respondents indicated that they were aware of the community grant fund and that the reason for not applying was because they had no project in progress which required funding. However the responses did indicate dissatisfaction with the application process – “just red tape” – and a lack of understanding of the purposes for which the grant could be used. This again was explored further by the panel on 30 April where the feedback confirmed that there was a general lack of awareness of the community grants fund in terms of how it could be applied and a feeling that the application process was prohibitively complex.
- **Accommodation** – the responses showed that most, but not all, community councils meet at Council facilities. The responses highlighted a number of issues in regard to the availability of premises, in particular schools, and occasions where charges had been imposed. At the meeting of 30 April, the panel heard that while most community councils would prefer to use Council premises there had been occasions where availability was an issue or when a charge had been made. However all agreed that if accommodation was available and was free of charge to the community council then the preferred option would be to utilise the Council facility.

- **Equipment** – in response to a question on what equipment a community council required to manage its business, the vast majority of respondents identified laptops/PCs and printers as the key essentials. All confirmed that the secretaries currently use a laptop/PC and printer for community council business – usually their own. One respondent highlighted that there was consequential wear and tear as a result of using personal equipment for community council business.

The questionnaire probed whether the community councillors claimed for costs/expenses relating to IT equipment such as broadband, paper and toner. The responses showed again an inconsistency in approach by community councillors with a suggestion that this was a due to a lack of guidance from the Council on what can be claimed.

- **Community Council Liaison Officer** – all of the respondents indicated that the support from the Community Council Liaison Officer was adequate and a number praised the support provided. In regard to the training provided responses were mixed. While overall it was accepted that training was deemed useful and welcomed, it was recognised that there was need to ensure that content was tailored to suit the needs of community councillors and that the arrangements for training should be flexible to enable as many as possible to participate.
- **Promotion of Community Councils** – responses indicated that all respondents actively promote themselves and use a range of methods to do so. These include press notices, use of social media, flyers, public notice boards and the use of public buildings such as Council premises. The majority of respondents also indicated that they use Facebook or Twitter, or that they would like to in the future, and see social media as an invaluable tool for promoting the role of the community council.

The respondents also list a number of ways in which Falkirk Council could support the promotion of its community councils. The Council's web pages were praised although it was recognised there was a need for information such as minutes and agendas to be kept up to date.

Meeting with Community Councillors – 30 April 2014

- 6.8 As indicated earlier, the panel met with representatives of community councils to hear their views on support and on the revised model Scheme. In total 20 community councillors, representing 7 community councils were present. A summary of the main issues raised at the meeting are set out below:-

Support and equipment;

- The Council should provide a comprehensive information pack, supported by training, to all community councillors. It should, in particular, include all relevant information in relation to the funding available, how to apply and the areas in which the funding can be applied. It should also identify contact points within the Council and contain information on the roles and responsibilities of community councils and the community councillors.
- Not all community councils claimed the administrative grant. All should be encouraged to do so.

- Some community councils employed minute secretaries funded from the community grants fund. Consensus at the meeting showed that it was not widely known that the community grant fund could be used for this and that, had community councils been aware, more would have engaged the services of a minute secretary.
- There was unanimous agreement that all community councils required a laptop and printer to manage their business. While in the majority of cases the secretaries used their own equipment, it was agreed that funding should be available for community councils to purchase a laptop/PC if they so wished.
- Similarly there was a unanimous agreement that there was a need for a secretary to use an office standard printer and again funding should be provided for this.
- The majority of community councillors are not aware of the purpose of the administrative grant and that they are able to seek recompense for expenses incurred from this grant.
- The Council should actively promote community councils and should assist community councils to promote themselves locally by providing leaflets, poster campaigns and improving the contents of the Councils website.
- The administrative grant should be used to meet community councillors' reasonable expenses and community councillors should be encouraged to make such claims.
- Community councils should be encouraged to claim their administrative grant for 2014/15 and at the year end the Council should review whether the level of support paid is sufficient.
- The Council should simplify and provide guidance on the process for applying for community grant funding.

Accommodation;

- Council premises should be available for free to community councils.
- There were times in the year when it was difficult to book school halls (such as when the hall was block let or during holidays), and often there were conflicts in availability.
- Community councils should book accommodation themselves as opposed to the process being managed by the Community Council Liaison Officer, as had been suggested.
- Other non Council premises such as church halls or community councils were used, although some did apply a small charge for the use of the premises.
- In practical terms it was unlikely and undesirable for meetings to last later than 9 pm.

Community Council Liaison Officer;

- The Community Council Liaison Officer and his team offer good support to community councils and to community councillors.
- The training to date has been useful and informative but it was accepted that the sessions themselves had not been well attended. There was a responsibility on community councillors to make the best effort to attend training sessions, but there should be dialogue between the Community Council Liaison Officer Team and community councils as to the best timing of the meetings to encourage maximum attendance.

- The Community Council Liaison Officer should attend every community council at least once a year

Promotion of Community Councils;

- All representatives present recognised there was a need for community councils to promote themselves and their work locally and for the Council to promote the community councils across its area.
- A number of community councils use social media including Facebook and Twitter to promote themselves and their activities and it was agreed that training and support should be made available by the Community Council Liaison Officer to encourage other community councils to do the same.
- In the survey there had been a response that Council directors should attend community council meetings to explain the role of their service to the wider community. This was welcomed and those present stated that when officers had attended community council meetings there had been a positive response from the community. It was agreed there was an appetite in the community to learn more about the Council and how it delivered its Services.
- There was agreement that the relationship between community councils and Council officers was positive and that officers were supportive of community councils and responsive to enquiries.
- Having discussed the sharing of best practice, the representatives suggested that there would be benefit in the Community Council Liaison Officer establishing a forum for community councils to allow representatives to come together regularly to share best practice and experience.
- Representatives thought an effective way of raising awareness would be community leaflet drops, and articles in the local press. These, it was suggested, should be undertaken by the Council perhaps in partnership with community councils.

6.9 The panel also sought views of the community councillors present on the revised model Scheme. There was general support for revised documents. It was recognised that there had been extensive work undertaken by the Scottish Government to develop the document and that it broadly reflected the provisions of the current Scheme. However its main selling point was that the document was written in plain English and was easy to use from the point of view of Council officers and community councillors.

6.10 The panel asked the views of those present on the 5 key differences set out in paragraph 5.5. The minimum age for eligibility was currently 18. There was a discussion on the proposed provision within the model Scheme for the minimum age to be reduced to 16. After a lengthy discussion there was no support for this reduction. Those present indicated that there was benefit in opening community council meetings to people under the age of 18 and that there was scope within the current Scheme to allow 16 to 18 year olds to participate in community councils. However it was felt that there was no benefit in lowering the age to be a community councillor. During the discussion a number of initiatives which were in place at Polmont, Denny and Larbert Community Councils to work with young people and to encourage them to attend or participate in the business of community councils were highlighted. There was a suggestion that the proposed forum could explore this and the broader issue of engagement in due course.

- 6.11 There was support in regard to the proposed changes on forming a community council, the nomination process and on local organisations and for the first meeting after the elections.

7. COMMUNITY COUNCIL SHORT LIFE WORKING GROUP

- 7.1 In December 2011 the Scottish Government established a short-life working group to consider how best to “build the resilience, capacity, and capability of Community Councils in future.” The group, included representatives of community councils, and a COSLA nominated officer and its report and recommendations were published in September 2012.

- 7.2 The key recommendations made by the working group in regard to support are set out below:-

- That the need for an enforceable model code of conduct for community councillors, with an independent and simple enforcement and appeals mechanism is further explored.
- That the expected role of a local authority in supporting its community councils, including the remit of the Community Council Liaison Officer, is publicly available and that a local authority official with suitable seniority is identified to ensure that both the community council work and working relationship is appropriately progressed at local authority level.
- That local authorities work in partnership with equality champions/leads in health boards, police etc to promote and raise awareness of links to minority/equality/disability networks and research as well as relevant legal obligations so that community councils are supported and clear of their requirements and have the information to allow them to engage appropriately with all groups within their community.
- That as far as possible, each local authority provide their community councils with a demographic profile of the community they represent to help them reach into their communities to deepen and broaden the information on community priorities which informs their work.
- That community councils are encouraged and supported to engage with relevant organisations/groups in their local area to raise awareness of what they do and in an attempt to seek a more diverse range of views on issues.
- That a national level induction pack is available to all community councillors, including model training modules relevant to community council activity and required training standards for delivery at local level, including a way to instil amongst community councils a sense of responsibility to undertake training.
- That a national interactive portal providing a central information site offering and signposting support and guidance on issues pertinent to community councils be developed.
- That community councils are encouraged and supported to engage, communicate and network in a wide range of different ways, including digitally and via various social networking mediums to enable them to embrace a wider community audience.

- That good practice developed across the country is shared to support and strengthen community councillors' role as contributors to the design and delivery of public services/asset managers and to further minimise the risk of personal liability faced by community councillors.
- That there is continued drive aimed at the community and community councils for contested community council elections.

8. CONCLUSIONS

- 8.1 The foregoing sets out the process by which the panel gathered information for its review. Throughout the information gathering stages the panel sought to hear the views of the community councillors. It engaged with a focus group, conducted a survey of all Community Councils and met with their representatives on 30 April. In addition the panel was supported by officers and was able to draw on supporting background information. The panel also considered the findings of the Scottish Government shortlife working group on community councils and the Citizens Panel survey conducted in late 2013.
- 8.2 The panel met on 14 May 2014 to consider its conclusions and to formalise its recommendations.
- 8.3 It was intended to present the Executive with a complete set of recommendations at the May meeting. However, as the review progressed, the panel's work had focussed on the current Scheme and model Scheme and did not address the suite of associated documents which sat behind the model Scheme. It is anticipated that these will also sit with the revised model Scheme which the panel developed. The panel was mindful that it had not fully reviewed these documents (model constitution and standing orders) and that to fully discharge its remit, the panel should look at these documents in depth. For this reason the work of the panel is not yet complete. The panel however agreed to present the revised model Scheme to the Executive and to then review the associated documents with a view to presenting its recommendations on these to the Executive on 19 August together with a timetable for consulting on the Scheme and associated documents. The panel was content that it was able to make recommendations on its review of support at this stage.
- 8.4 The panel concluded that :-
- (1) There was insufficient evidence to determine whether the funding available to community councils was sufficient to allow them to operate effectively. This was because only 8 of the 17 active community councils had claimed their 2014/15 administrative grant. The panel considered that community councils should be encouraged to claim their grant for the year and be provided with detailed guidance on how it can be applied to allow them to fully utilise the resources available. This would allow a review to be undertaken, in 2015, to determine whether the funding was sufficient.

- (2) Funding should be available to enable community councils to purchase a laptop/pc and printer following each quadrennial election and that a provision should be made to allow the current community councils to purchase such equipment if required. The panel recognised that, notwithstanding the availability of funding, secretaries may prefer to use their own equipment.
- (3) Community councils should be encouraged to meet on Council (or Trust) premises, where possible, and that there should be no cost to the community council for the hire of the accommodation.
- (4) The current Scheme for the Establishment of Community Councils has proved to be a reliable document since its introduction in 2000. However the panel was aware that the Scottish Government had introduced a model Scheme which it had developed following a lengthy consultation process with a number of stakeholders and that it reflected broadly the provisions within the current Scheme albeit in a more user friendly format. The panel had, during the course of its review, developed a revised model Scheme which accounted for comments provided by the focus group and by community councils. The panel agreed that this revised model Scheme better reflected the requirements of Falkirk Council than the generic model Scheme, and that this should be adopted for as the basis for any formal review.
- (5) The model code of conduct, which had been adopted by Falkirk Council in 2013, provided clear guidance to community councillors. However the panel was mindful that the code was not enforceable. There are currently discussions ongoing nationally on the potential to strengthen the code with enforcement procedures and the panel concluded therefore that there was merit in exploring the options to determine if a process which suited Falkirk Council and its community councils could be developed and introduced.
- (6) The panel had noted during the course of the review that there was a considerable range of best practice employed throughout the community councils and that there would be merit in establishing a forum to allow representatives to meet and share examples of best practice.
- (7) There was a role for the Council to play in promoting community councils and the Community Council Liaison Officer should work with the forum to look at opportunities to raise the profile of community councils and in particular to increase both membership and range of representation on community councils.
- (8) The panel recognised that it had not considered the findings of the Short Life Working Group and agreed that there was merit in considering the recommendations further.

8.5 Having set out its conclusions the panel then agreed to formalise its recommendations. These are set out below:-

- (1) That the Executive agrees to formally review its current Scheme for the Establishment of Community Councils and to propose the revised model Scheme as the basis for the consultation.

- (2) That the Executive asks the panel to review practices adopted elsewhere within Scotland to enforce the model code of conduct and to report its findings to the Executive on 19 August 2014.
- (3) That the Executive requests the panel to undertake a review of the Scottish Government's model constitution and standing orders with a view to these being incorporated within the revised Scheme along with the code of conduct and that the panel reports to the Executive on 19 August 2014 together with a timetable for the review of the Scheme and associated documents.
- (4) That the Executive notes the support that is currently provided by Falkirk Council to its community councils and community councillors.
- (5) That the Executive instructs the Community Council Liaison Officer to develop an Information Pack to be issued to all community councillors which will include detailed information on the funding available to community councils and the application process together with contact information and will incorporate the Scottish Government good practice guidance.
- (6) That the Executive instructs the Community Council Liaison Officer to implement a training programme for community councillors to compliment the information pack. This will include training on the role of community councils and community councillors and will also include training on the use of social media to promote community engagement.
- (7) That the Executive instructs the Community Council Liaison Officer to work with community councils to claim their administrative grant for 2014/15 and to undertake a review in 2015 to determine whether the funding provided is sufficient.
- (8) That the Executive agrees to allocate funding of up to £500 to all community councils following each quadrennial election to purchase a laptop/PC and printer and for the cost of provision in the current year to be met from existing budgets.
- (9) That the Executive agrees that Council premises should be available at no cost to community councils, and
- (10) That the Executive instructs the Community Council Liaison Officer to establish a Community Council forum comprising representatives of all community councils with a view to maximising the sharing of best practice across the community councils.

9. RECOMMENDATIONS

It is recommended that the Executive:

- (1) Notes the review of the Scheme for the establishment of Community Councils and support provided to community councils by Falkirk Council undertaken by the policy development panel; and
- (2) Considers the recommendations set out in paragraph 8.5.

.....
CHIEF GOVERNANCE OFFICER
Date: 16 MAY 2014
Contact Officer: Brian Pirie ext 6110

LIST OF BACKGROUND PAPERS

Nil

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 506110 and ask for Brian Pirie.