

EX47. POLICY DEVELOPMENT PANEL – REVIEW OF COMMUNITY COUNCILS

The Executive considered a report by the Chief Governance Officer providing an update on the work of the policy development panel established to review the Scheme for the Establishment of Community Councils and support for community councils, since May 2014.

The policy development panel had presented its interim findings to the Executive on 27 May 2014 (ref EX21) and had been asked to report to this meeting on:-

- a review of the Scottish Government's model constitution and standing orders with a view to them being incorporated into the draft scheme approved in May together with a timetable for a formal review of the draft scheme and associated documents; and
- a review of practices adopted elsewhere within Scotland to enforce the model code of conduct for community councillors.

The report summarised the outcome of the panel's review of the model documents together with its review of enforcement procedures. A revised model constitution and revised model standing orders were presented for approval.

In regard to the potential introduction of enforcement procedures regarding the code of conduct, the panel recommended that the Executive awaits the outcome of dialogue between the Scottish Government and the Improvement Service before determining how to proceed.

It was proposed that a further report on the national position is submitted to the Executive on 2 December 2014 together with proposals for local enforcement procedures in the event that the Scottish Government is not minded to introduce national guidance. A timetable for formally reviewing the draft Scheme and associated documents was also provided.

Decision

The Executive agreed:-

- (1) to approve the revised model constitution and standing orders for incorporation within the draft scheme for consultation agreed in May 2014;
- (2) that there is a need for enforcement procedures to be put in place to ensure compliance with the model code of conduct;
- (3) to receive a further report, to the meeting on 2 December 2014, setting out the Scottish Government's position in regard to the introduction of a national mechanism and including proposals for a local mechanism as an alternative should the Scottish Government not be minded to introduce a national mechanism;

- (4) to request that officers develop a workable enforcement process, for the meeting on 2 December 2014. Any procedure should include initial determination by the community council and an appeal to an independent panel; and
- (5) that any enforcement procedures should be set out in the final draft Scheme for consultation and, as such, any formal consultation should not be initiated until the enforcement procedures are finalised.