

Scottish Borders Community Council Handbook

Introduction to community councils for community councillors

Prepared by the Scottish Borders Community Councils' Network



Scottish Borders Community Councils' Network



November 2014

Foreword

The Scottish Borders Community Councils' Network (SBCCN) has prepared this handbook as an aid to community councillors in carrying out their roles and responsibilities in line with their responsibilities as a community councillor.

The handbook is designed to give new members an introduction to the workings of a community council.

Community councils are independent of the local authority. They bridge the gap between local authorities, other public bodies and communities, mostly by listening to and understanding local concerns and keeping the elected members of the local authority updated.

What are Community Councils?

All local authorities are legally obliged to establish community councils under the *Local Government (Scotland) Act 1973*. They are recognised groups of local people with an interest in their community.

The size of each community council varies; some are as small as five and others as large as 18 people.

Community councils in the Scottish Borders are governed by the [Scottish Borders Scheme for the Establishment of Community Councils](#)¹. The scheme outlines procedures for establishment, composition including co-option, term of office and nomination of candidates, voting, constitutions, financial provision, a list of community seats available and a code of conduct for community councillors.

What do Community Councils do?

The main role of community councils is to represent their local area, to consult with local residents and pass their views on to public sector organisations such as Scottish Borders Council and NHS Borders.

They have a responsibility to consult with communities about how local services are delivered and inform them of any changes to services or any issues that may affect their local area.

Community councils are encouraged to engage and to be visible with their community, via websites, social media pages and use of public notice boards.

Elected Scottish Borders councillors attend their local community council meetings, providing a good link between the Council and the community.

Each community council is a member of the [Scottish Borders Community Councils' Network](#)² (SBCCN) which organises an annual conference, seminars to discuss areas of concern and training.

¹ <http://www.scotborders.gov.uk/communitycouncils>

² <http://www.sbccn.org.uk>

Scottish Government Good Practice Guidance for CC's

Below is an extract from [Scottish Government Good Practice Guidance for Local Authorities and Community Councils](http://www.scotborders.gov.uk/downloads/file/5426/good_practice_guidance_for_local_authorities_and_community_councils)³, here you will find roles and responsibilities of **the Chairperson, the Vice Chair, the Secretary** and the **Treasurer**.

The Chairperson

The Chair has perhaps the most important single role to play in ensuring that community council meetings run smoothly. But even a good Chair will find the task exhausting unless all the members of the community council give the role appropriate respect and support.

The Chair is elected in accordance with the rules set out in the community council's own Constitution. Your Secretary should be able to provide you with a copy. The Constitution is very important because it provides the framework of procedures that will govern the work of your community council.

In essence, the Chair's job is to make sure that decisions are taken on all of the items that are on the Agenda. In practice, this usually means that the Chair will have to make judgements about how much time to allocate to each Agenda item. It also means that he or she may occasionally have to bring speakers back to the Agenda and generally encourage people to make their contributions brief and to the point. See the appendix for additional guidance.

In regular meetings the role of the Chair is a *formal* one; all speakers will be expected to address their comments to the Chair. This helps the Chair to keep control of the discussion. In Committee meetings, where proceedings need not be so formal, the Chair may be content simply to steer the general direction of the discussion – this may be described as an *enabling* role. The extent to which a Chair adopts one or the other of these will be dependent upon the circumstances at a particular time or occasion. Set out in the appendix are some of the characteristics of the two approaches.

Perhaps most importantly of all, the Chair is expected to know the rules by which the community council functions, and ensure that at all stages of its work the community council is operating in accordance with any procedures that are set down. In this context the Chair may be called upon to act as an arbiter when there is a disagreement about how the rules should be interpreted.

It is important to recognise that the Chair's role extends out with the meeting itself. The Chair may be called upon to act on behalf of the community council between meetings, or to represent the community council in dealing with outside bodies. This role may also be delegated by the community council to other office bearers or members.

Very often the Chair is seen as the "official" spokesperson for the community council and must be seen as authoritative and fair in all of their dealings with outside bodies, groups, individuals and the Press.

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http://www.scotborders.gov.uk/downloads/file/5426/good_practice_guidance_for_local_authorities_and_community_councils

The Role of the Vice Chair

The Vice Chair has no specific duties other than standing in for the Chair when he or she is unable to be present. Often the Vice Chair is the next “Chair in waiting”.

The Secretary

The Secretary is responsible for:

- The Agenda
- The Minutes of the meeting (suggested guidelines are at the appendix)
- Answering all correspondence
- Writing any letters
- Circulating information to Members
- Public relations, dealing with the press, TV and radio (the community council could decide to delegate this role to the Chair, or a dedicated media rep)
- Looking after invited visitors and guest speakers
- Arranging the venue for meetings
- Liaison with officials of the local authority and other agencies

To be successful, a community council must have an energetic and conscientious Secretary prepared to put in the necessary time and effort. It is more than desirable for all Members, but especially the Chair, to spread the Secretary’s load by, for instance, delegating some of his or her responsibilities to others, either individually or to small sub-committees. It is bad policy to overload your Secretary - you might find difficulty getting volunteers! The duties may be allocated to more than one person, for instance having someone to act as Minute Secretary - taking minutes at meetings.

It is essential that the Secretary has access to word-processing and photocopying facilities. The community council grant should be used to assist with administration costs, the secretary should not be ‘out of pocket’ for expenses incurred in undertaking this role.

The Treasurer

The Treasurer is responsible for:

- Issuing all cheques and making payments on behalf of the Community Council and any charities and/or other funds dispersed by the community council.
- Managing the bank account, account for all funds received, and ensure money is only spent in a manner approved by the community council members as recorded in the minutes.
- Maintaining the community council’s financial records so that they disclose, with reasonable accuracy at any time, the financial position of the community council.
- Ensuring cheques are signed by two persons authorised by the community council Members as recorded in the minutes, and notified to the bank in writing. It is good practice to have more than two authorised signatories, in the event of someone being unavailable at short notice. As a general rule, Treasurers should avoid paying out money except by cheque. This makes accounting for expenditure much easier.

- Keeping proper accounts of all receipts and expenditure and prepare an Annual Statement of Accounts. Community councils should use an independent, external examiner to approve the accounts. This need not be a professional accountant, but should be someone who has some relevant knowledge, e.g. the book-keeper of a local community centre, local housing organisation (LHO), or housing association. The independent examiner must be approved by the members of the community council, prior to examination of the accounts; this is usually done one month prior to the AGM. A recommended example accounts template is included in the appendix, simple to overcome complication.
- Must report and answer any questions raised by Members of the community council or the public on the **Statement**, this must be formally approved at the next AGM. When statement certified and approved, it should be sent to the local authority, as part of the process of applying for the annual administration grant.

The standard form of words for the Treasurer's Certificate is:

"I certify that the above accounts have been prepared by me and accurately reflect the financial provisions relating to the period"

Accounting Procedures – Cash

Each community council should have a cash book and all income and expenditure should be recorded in it. The date, description, amount and receipt number should also be recorded.

The community council should nominate three unrelated office bearers to act as signatories to the community council bank accounts. All cheques and withdrawals should require two from three signatures. Any changes to authorised signatories should be approved by the community council.

The level of cash held should not be excessive and should be in proportion to the monthly expenditure

Banking should be made intact. All income received should be banked and should not be used to meet expenditure. If funds are required for incurred expenditure they should either be paid by cheque or alternatively cash should be withdrawn from the bank.

Once banking has been made the stamped bank pay-in slip should be retained and checked against the bank statement or bank book to ensure that the income has been credited correctly.

Accounting Procedures – Expenditure

All expenditure must be approved in advance by the community council.

All expenditure must be accompanied by proof of purchase, either an expenditure voucher or receipted invoice.

Receipts should be given a sequential number and filed accordingly.

Details of the expenditure should be recorded in the cash book as soon as the expenditure is incurred. Where a receipt is not available, the person making the purchase should complete a form stating the nature of the expenditure. The form should be authorised by a member of the community council committee.

A current account will normally be used for day to day transactions with a further deposit and/or saving account, as required, so that interest may be attracted on accumulated funds.

The treasurer should await the bank statements and once received should carry out a bank reconciliation to ensure that the bank balance agrees with the balance recorded in the cash book. All bank statements should be retained.

Where petty cash is issued all petty cash vouchers should be signed by the person requesting the money and countersigned by the treasurer or other authorised signatory - this must not be the person who is requesting the expenditure. All receipts for items of expenditure should be retained and attached to the appropriate petty cash voucher.

Reimbursement of travel expenses should only be available to persons on official community council business. Claimants should submit a detailed record of dates, times, destination, reason for travel and mode of transport. Reimbursement of travel expenses (for example bus, taxi, train, parking fees etc.) should only be awarded if accompanied by an appropriate receipt.

If the community council requires telephone calls to be made, reimbursement of expenses can be made at the discretion of the community council. The person making the claim should submit the itemised telephone statement highlighting the calls claimed. Reimbursement will be authorised by the community council.

Accounting Procedures - Annual Accounts

The following paragraphs merely reinforce income and expenditure matters dealt with earlier in this guideline.

An annual income and expenditure statement of all accounts including all income and expenditure must be prepared at the end of the community councils' financial year and must be examined by a person unconnected with the fund.

The audited accounts must be presented to the community council and in course a copy passed to the Local Authority officer.

Accounting Procedures – Inventory

The community council must maintain an inventory detailing all the assets of the community council, commonly known as an **asset register**. The inventory should be updated on an ongoing basis for additions and deletions an example of an inventory is over the page.

A suggested template for account reporting is at the appendix.

Travel expenses may be claimed by community councillors when travelling to official meetings as agreed by individual councils. A suggested format is below:

A.N.OTHER..... COMMUNITY COUNCIL

TRAVEL EXPENSES

Name (cheque will be made payable in this name).....Mr A Smith.....

Organisation...A.N.Other..... Community Council.....

Address (cheque to be sent to)..... The Street, Somewhere Town, TD000.....

Date	Particulars of journey	Reasons for journey	Mileage @0.45p per mile =£
Signed			Date

Insurance

Scottish Borders Council's insurance officer, Joyce Cuthbertson, arranges public and employers' liability insurance for community councils, and should be contacted when a community council is planning an event and wishes to notify its insurer of this. Tel: 01835 824000 ext. 5847 or e-mail: jcuthbertson@scotborders.gov.uk.

Community councils also have access to free legal advice and counselling helplines (details of this are on covering letter to policy certificate).

SBC Councillors are elected by the local community to represent both the public interest and individuals in their ward. They are responsible for making decisions about local services on your behalf. They attend meetings, support the local community and establish links with local organisations and campaigns.

Councillors agree policies for providing services within the Scottish Borders Council area; these services are then managed on a day to day basis by officers employed by the council. Councillors also make decisions about the council's budget.

You can find out who your local councillors are on the council's [website](#)⁴.

⁴ <http://www.scotborders.gov.uk/councillors>

Planning

Formal approval from Scottish Borders Council may be required for most forms of development, whether individuals want to: alter or extends a house or flat, or erect a building within the garden or change the use of land or buildings etc.

If a planning proposal is for a major or national development there needs to be a pre-application consultation with the community usually via the community council, who should receive details of the proposal and consult the wider community using at least one locally advertised public event.

Applications for small developments will normally be decided by the planning officers through delegated powers. More complex or controversial proposals are likely to be decided by the council's Planning and Building Standards Committee, which consists of elected councillors.

Material planning considerations can include issues such as the appearance of the proposal in terms of design; siting and materials; traffic parking or access problems; residential amenity (noise, overshadowing); drainage and infrastructure and impact on the natural or built environment⁵. Immaterial considerations include devaluation of property, loss of a view, personal reasons, business competition, moral objections, and health and safety risks. Whilst these factors are irrelevant in planning law, they may be addressed under other regimes (e.g. building standards, health and safety).

Any individual, group or organisation (including community councils) can make comments of objection or support for a planning application while it is open for consultation.

It is advisable to find out as much information as possible about the proposals beforehand. All planning application files are available online on the [Public Access portal](#)⁶ and for public inspection from the local area planning office as well as local libraries. You can generate monthly lists of planning applications which have been submitted in your community council area⁷. The planning officer dealing with the application may discuss the case with any person.

More information is available via the [planning](#)⁸ pages on the SBC website and assistance and clarification also sought from Planning Development Manager via - 0300 100 1800 or 01835 825027

The community council may find the need to form a sub-group of members, to look at and report back to the community council. It is an expectation the community council will respond to the planning department within the selected time frame. Bear in mind the community council is not the only consultee. Extension to the response deadline can be extended with the planning officer's permission, but this is determined on the size of the application.

Remember when dealing with planning applications, you are representing the community and as such personal details or pecuniary interest cannot be seen to influence comments.

⁵ <http://www.pas.org.uk/wp-content/uploads/2013/07/3-Material-Considerations.pdf>

⁶ <http://eplanning.scotborders.gov.uk>

⁷ <http://eplanning.scotborders.gov.uk/online-applications/search.do?action=monthlyList>

⁸ http://www.scotborders.gov.uk/info/180/planning_applications

When the community council goes to submit their observations in respect of an application, this is done via email and not through the Public Access Portal; the portal is for members of the public and as such has restriction in submitting a detailed submission. The email address for community councils to submit planning submissions is DCConsultees@scotborders.gov.uk stating the planning application number and your community council. The planning department prefers submissions to be created in a Word document and attached to the email.

Social Media Policy

Social media (web-based and mobile technologies) presents new opportunities to engage with our communities but there are risks. It is therefore important that users of social media understand the consequences as well as the benefits of the technology.

The safest course is to not say or do anything online that you would not do offline.

Key points:

Communicating by social media has the same effect as communicating verbally or in writing.

Only say on social media what you would say in person.

Only communicate 'on behalf of' your community council if you are authorised to do so.

Social media must be used responsibly.

The most common types of social media include:

Social networking - forming relationships with other users of the same site to post comments, share photos etc (e.g. Facebook).

Blogs - online interactive journals - leave comments and correspond with others.

Microblogging – as 'blogs' but usually through the phone network (e.g. Twitter).

Forums - online discussions often around a specific topic or interest.

Chat Rooms – common interest online venues.

Professional use of social media

When using social media tools on behalf of the community council users **should**:

- Clearly identify themselves and who they represent.
- Conduct themselves professionally and consider the community council's reputation.
- Ensure **details are accurate**.

Should not:

- Post personal information relating to themselves or others
- Post comments which could cause offence, be considered discriminatory or considered as bullying or harassment.
- Post statements which are bigoted, hateful or discriminatory.
- Post or distribute images, video or messages that might be considered indecent, pornographic, obscene or illegal.
- Behave in any way which could be considered unacceptable

Legal issues

Individuals should be aware that they may be liable for anything they write or present online in case criminal and/ or civil legal sanctions ensue.

When making personal views public on web pages, blogs, forums, social networking sites or other internet forums councillors are advised to use a disclaimer explaining that the views contained are personal views. E.g. *the views expressed on this page are my own personal views, and not those of my community council.*

Community Councils Liability

Community councils may be held legally responsible for online content published by their members. This includes action taken as part of member's role or material published somewhere that has been previously sanctioned by the community council.

Defamation

You should consider whether a statement can be proved before writing or using it, otherwise you may be guilty of defamation. In law, the onus is on the person making the statement to establish its truth.

Defamation is the act of maliciously making a false statement about a person or company that is considered to harm reputation, for example, by lowering others' estimation of the person or company, or by causing them to lose their rank or professional standing.

Acceptable use policy – guidance for general users (*extracts of this could be advertised on sites the community council is responsible for*)

Most online communities have their own rules and guidelines. Community councils should reserve the right to remove any contributions (or ban users) that break the rules or guidelines of the relevant community, or any of the following:

- Be civil, tasteful and relevant.
- Do not post messages that are unlawful, libellous, harassing, defamatory, abusive, threatening, harmful, obscene, profane, sexually oriented or racially offensive.
- Do not swear.
- Do not post content copied from elsewhere, for which you do not own the copyright.

- Do not post the same message, or very similar messages, more than once (also called "spamming").
- Do not publicise your, or anyone else's, personal information, such as contact details.
- Do not advertise products or services.
- Do not impersonate **someone else**.

Please take care not to make defamatory statements. In law this means a statement that lowers the reputation of a person or organisation in the eyes of a reasonable person. By publishing such a statement Community councils and individuals can get into serious trouble. Community councils should therefore make provision to take down any statement that could be deemed to be defamatory.

Social media platforms themselves should not be the only method of contacting the community council as not all platforms will be monitored continuously, especially out with normal working hours.

Scottish Borders Council is actively promoting community councils in having their web site or social media platform, whether Facebook, Twitter, Flickr or YouTube. However consideration and caution should be taken in any social media.

This handbook will be subject to ongoing updates and review, any comments or additions you as a community councillor would like added please contact the [Scottish Borders Community Councils' Network](#) – email chair@sbccn.org.uk

Information and useful contacts

Scottish Borders Council Customer Services

Telephone: 0300 100 1800

Email: enquiries@scotborders.gov.uk

Neighbourhood Services Managers - Email neighbourhoodservices@scotborders.gov.uk

Berwickshire - Daren Silcock – Email DSilcock@scotborders.gov.uk

Cheviot/Teviot and Liddesdale - Alistair Finnie – Email AFinnie@scotborders.gov.uk

Eildon - Craig Blackie – Email CBlackie@scotborders.gov.uk

Tweeddale - Jason Hedley – Email JHedley@scotborders.gov.uk

Funding

The Scottish Borders council operates and runs a [Community Council Small Grant Scheme](#)⁹

The Community Grant Scheme can provide support to fully constituted voluntary/community groups who are active within their communities, to assist with the development of community based projects. In some cases the scheme can also provide one-off support grant to groups who are experiencing temporary financial difficulties. Basic details of the scheme

- grants up to a maximum of £5,000 available
- decisions on funding estimated within 8 weeks
- 10% match-funding required for requests of £500 and over
- applications to be submitted at least 2 months in advance of project start dates
- essential that applicants can demonstrate they have checked external funding sources before applying to the scheme.

Contact: Jean Robertson, Funding & Project Officer, Scottish Borders Council, Council Headquarters, Newtown St. Boswells, Melrose TD6 0SA. Tel: 01835-826543. Email: jjrobertson@scotborders.gov.uk

Linda Cornwall, Grants Co-ordinator, Scottish Borders Council, Council Headquarters, Newtown St. Boswells, Melrose TD6 0SA Tel: 01835-826659. Email: lcornwall@scotborders.gov.uk

Community councils' first point of contact for funding should be to the above contacts; both Jean and Linda can give advice for your projects/ideas.

⁹ http://www.scotborders.gov.uk/info/343/community_grants/725/community_grant_scheme

Democratic Services Team

Advice on constitutional issues and those relating to the Community Council Scheme, including elections and the Code of Conduct, is provided by the Democratic Services Officers. This support will be provided on an area basis in line with Area Forums so you will already know your contacts from Area Forum meetings, they are:

Berwickshire - Pauline Bolson (01835 826503)

Cheviot - Fiona Henderson (01835 826502)

Eildon - Fiona Walling (01835 826504)

Teviot - Judith Turnbull (01835 826556)

Tweeddale - Kathleen Mason (01835 826772)

The Democratic Services Team has requested community councils to send enquiries to ComPap@scotborders.gov.uk with the community council's name in the subject, rather than emailing individual officers so messages can be picked up if anyone is on holiday or absent.

Community councils should email the Democratic Services Team copies of all minutes and agendas, and a list of community council members and office bearers and their contact details, and any subsequent changes.

Road faults

Potholes and other faults on a public road (except trunk roads) can be reported using the [online form](#)¹⁰ (you can attach a photo) or by calling 0300 100 1800.

Any defects on trunk roads (the A7 south of Galashiels, A68, A1, A702 and A6091) should be reported to Amey using the [online form](#)¹¹ or by calling call 0800 028 1414.

¹⁰ http://www.scotborders.gov.uk/info/1284/roads_and_pavements/738/road_faults

¹¹ <http://scottishtrunkroadsse.amey.co.uk/report-a-problem/>

Taking minutes

'Somewhere' COMMUNITY COUNCIL

MINUTE of the MEETING of the 'Somewhere' COMMUNITY COUNCIL held in the *(location)*, on *(day)*, *(date)* at *(time)*

Community Councillors Present: - *Mr xxxxxx, Mrs xxxxxx, Ms xxxxxx etc.*

Other Officials Present; - Cllr/Mr/Mrs *etc. xxxxxx (e.g. Planning Officer/ Police Scotland, etc.)*

Apologies:-

Local residents in attendance (numbers)

ORDER OF BUSINESS

1. xxxxxxx

Decision: Action/ Noted/ Carried forward

2. xxxxxxx

DATE OF NEXT MEETING

The next meeting would be held at *(location)*, on *(day)*, *(date)* at *(time)*

The meeting concluded at 3.55 p.m

Accounts

A.N.OTHER COMMUNITY COUNCIL

INCOME AND EXPENDITURE ACCOUNT

YEAR ENDING 31 MARCH

Income

Community Council Grant	0
Other Grants	0
Village Hall Rental	0
Calendar	0
Bus Hire	0
Donations	0
Bank Interest	0
Miscellaneous	0
<u>Total</u>	<u>0</u>

Expenditure

Grants And Donations	0
Village Hall Hire	0
Newsletter	0
Calendar	0
Administration	0
Travel	0
Competitions	0
Hospitality	0
Miscellaneous	0
<u>Total</u>	<u>0</u>

Statement Of Funds

Accumulated Funds As At 31.03.	0
Income Over Expenditure	<u>0</u>
Fund At 31.03.	<u>0</u>

Represented By

"Bank Name" Current Account	<u>0</u>
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Signature..... (Treasurer)

Date

Signature (independent Examiner)

Date

Auditors Name

Auditors

Address

Auditors Contact Number

THE FORMAL CHAIR	THE ENABLING CHAIR
<i>General role and responsibilities</i>	
Ensure fair play	Have an overview of the meeting purpose
Stay in charge	Help to clarify goals
Remain neutral	Help the group to take responsibility for what it
Have little emotional investment	wants to accomplish and to carry out its tasks
<i>Agenda and timekeeping</i>	
Open the meeting	Run through the agenda at the beginning and get the meeting's approval for it
Introduce all agenda items	Arrange in advance agenda item introductions
Be familiar with all agenda items	Update latecomers
Get through the agenda in allotted time	Keep track of the time
Evaluate how the meeting went	
<i>Discussion</i>	
Select speakers	Encourage and help all to participate
Summarise discussion	Encourage expression of various views
End discussion	Encourage people to keep to the subject
Ensure that people keep to the subject	Clarify and summarise discussion
Make it safe to share feelings	
Suggest ways of handling conflict	
<i>Decision making and voting</i>	
Ensure decisions are taken and agreed	Suggest structures for decision making
Decide when to and conduct the vote	Look for and test areas of agreement
<i>Rules</i>	
Check that the meeting has been called in accordance with the rules	
Have a thorough knowledge of the rules	
Rules on points of order and procedure	
<i>Outside the meeting</i>	
Act on behalf of the organisation	
Pursue decisions made in meetings	
Represent the Council to outside bodies	
Ensure someone will carry out decisions	Ensure that responsibility for action is allocated