



From mountain to sea

Community Council Handbook

8 August 2018



Contents

- 1 Community Council Handbook
- 2 Community Councils
- 3 The Community Councillor
- 4 The Chair
- 5 The Secretary
- 6 The Treasurer
- 7 Ways of Working
- 8 Meetings
- 9 Minutes
- 10 Getting the Most Out Of Meetings
- 11 Dealing With The Press
- 12 Dealing With Conflict
- 13 Funding
- 14 Aberdeenshire Councillors
- 15 Insurance for Community Councils
- 16 Long Service Awards

APPENDIX 1 - Code of Conduct

1. Community Council Handbook

Welcome to Aberdeenshire Council's Handbook for Community Councils.

This Handbook has been designed to help Community Councillors across Aberdeenshire including those who are new Community Councillors or perhaps becoming office bearers for the first time.

The Handbook is supported by a range of digital tools including online training courses and links to best practice websites and has been designed to be user friendly. It can be updated to respond to additional information or requests from Community Councils.

The online training is available for all Community Councillors, however, in order to access it you will require a login. You can ask your Secretary to get this for you from your local Area Office.

To find out even more about Community Councils across Scotland check out the Community Councils web page www.communitycouncils.scot where you will find lots of valuable information and some great resources.

2. Community Councils

What is a Community Council? A Community Council is a voluntary organisation set up by statute by the Local Authority and run by residents to act on behalf of its area. As the most local tier of elected representation, Community Councils play an extremely important role in local democracy.

The general purpose of a Community Council is to ascertain, co-ordinate and express to Aberdeenshire Council, and to other 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 appears to it to be expedient and practicable.

Community Councils are made up of people who care about their community and want to make it a better place to live.

As well as representing the community to the Local Authority, Community Councils undertake a wide range of activities which promote the well-being of their neighbourhoods. They bring local people together to help make things happen, and many Community Councils protect and promote the identity of their area. They advise, petition, influence and support numerous causes and cases of concern on behalf of local communities. Here are some examples of their work across Aberdeenshire:

Develop and distribute community newsletters: The Westhill Bulletin is a free quarterly publication that carries news and views about **Westhill and Elrick**. It is delivered to thousands of local homes and can be a highly effective place for local firms to advertise. Revenue is used to help fund the running of Westhill and Elrick Community Council. Find out more: www.westhillelrick.org

Conduct local surveys: After being informed by the Digital Scotland Superfast Broadband programme that much of the **Alvah and Forglan** area would not be included in the programme for fast fibre optic based broadband due for completion in 2021, the Community Council undertook to find out more about current broadband speeds and the likely demand in the area for a community based fast broadband service. All residents were asked to complete a questionnaire to find out more about future needs and requirements. The Community Council reported the findings to Digital Scotland Superfast Broadband, Community Broadband Scotland and BT Openreach and continue to work with these organisations. Find out more: www.alvahforglencc.wordpress.com

Carry out projects to enhance their community for all residents: After undertaking a Community Action Plan with the assistance of the local Rural Partnership, **Whitehills and District** Community Council has delivered many exciting projects to improve and enhance the local area. These include trying to keep pavements clean with “doggy bags” available throughout the village, developing a safe walking route from Ladysbridge Village to Whitehills and installing wonderful floral displays and additional seating on Low Shore. This hard-working Community Council also manages the public toilet provision in the village and has achieved a “Gold Loo of the Year Award” thanks to the efforts of its volunteers. Find out more: www.whitehillsandboyndie.co.uk

Organise Community Events: Ballater and Crathie Community Council – Storm Frank 2015/16. Following the devastating flood that resulted from Storm Frank in December 2015 and January 2016, Ballater and Crathie Community Council was a key organisation in informing and supporting the community to respond and recover. It organised two Ballater Flood Public Information Meetings on 10 February 2016 and 23 March 2016 at the Victoria & Albert Halls, in Ballater. The meetings were attended by specialists from SEPA, Aberdeenshire Council, Grampian Police and Scottish Fire and Rescue Service. The meetings were extremely well attended by residents and enabled the community to air its concerns as well as being an opportunity to be updated and informed about the following: What happened during the flood and why, The Ballater Recovery Plan and Progress Achieved, The Community Resilience Plan; and Future actions in relation to Flood Defences.

Torphins Community Council is an active and vibrant group that supports many activities and initiatives such as paths, Christmas lights and the gala. The Community Council successfully campaigned for the introduction of a reduced speed limit on the A980 Torphins – Raemoir Road, a stretch of road that has seen several serious accidents over the years and caused the local community concern. The Community Council campaign reduced what had been a 60mph limit with an advisory 50mph limit to a 40mph limit. The Community Council and wider community hope that the 40mph speed limit will reduce speed through the area and improve safety on the road.

Donside Community Council covers a large geographical area and a variety of projects and initiatives, currently it is progressing a community action plan. The Community Council also supports the Christmas Lights and Tree Committee in Alford, the biggest settlement within its geography. The group has established a seasonal highlight in the village, with decorations and a family friendly festive evening and light switch on with music, food and entertainment. Many of the shops and businesses support the event with Christmas trees of their own creating a very welcoming and festive atmosphere in the village.

Scheme for the Establishment of Community Councils

Community Councils are voluntary bodies which exist within a statutory framework and which have been granted statutory rights of consultation. They are set up by the Local Authority and details of how they are governed can be found in Aberdeenshire Council's Scheme for The Establishment of Community Councils.

The Scheme sets out guidance for the mutual exchange of information between Aberdeenshire Council and each Community Council and provides guidance on other administrative and practical matters.

All Community Councillors should familiarise themselves with this document, which can be found [here](#).

Community Council Constitution

All Community Councils have a Constitution that is unique to them and which sets the rules by which the Community Council will operate and by which office bearers will be appointed. The Constitution will reflect the Scheme for the Establishment of Community Councils.

It is important that you get a copy of the Constitution from the Community Council Secretary and familiarise yourself with its content. It is also helpful to get a list of the names and contact details of your fellow Community Councillors.

Working With Aberdeenshire Council

Aberdeenshire Council has a range of responsibilities in relation to Community Councils:

1. it is responsible for ensuring that a Scheme for the Establishment of Community Councils is prepared which sets out matters like boundaries, Constitutions, finance and so on. In addition, the Scheme sets out arrangements between the Local Authority and Community Councils for keeping each other informed about matters of mutual interest;
2. it may make contributions towards the expenses of Community Councils;
3. it may provide them with accommodation, on terms that may or may not require payment.
4. it may agree to Community Councils improving amenities, maintaining grounds and managing public conveniences.

Community Councils are the elected body closest to local people and can play a major role in ensuring decision making remains as close to those concerned as possible. For this to happen, all Community Councillors will have to seize the opportunity to effectively engage with residents across the Community Council area. This will help Aberdeenshire Council to ensure the provision of quality services which meet the needs of local communities and are responsive to local demand.

The Importance of Being Elected

Community Councillors are elected by the local community. They have this in common with Local Authority Councillors and Members of Parliament. Formal elections only take place if the number of individuals nominated for the Community Council exceed the number of vacancies as set down in the individual Community Council's Constitution. The Scheme for the Establishment of Community Councils sets out how Elections should be managed, it also makes provision for Associate, Junior and Co-opted Members.

It is important that each Community Council distinguishes between its Voting Members, Non-voting Members and others allowed to sit in at meetings. It is important that members of the public attending Community Councils also understand this.

As a Community Councillor you may attend meetings, speak and vote. You serve on the Community Council for the term allowed by its Constitution (the Scheme requires a 3 year term). As a Community Councillor you should represent all the community, not any specific group, although inevitably different Community Councillors have particular areas of interest. Such diversity can add to the collective strength of the Community Council.

Most Community Councils invite other people to attend their meetings on a regular basis for example: sports groups, developers, Council Officers and Police Officers. Usually these representatives speak to the Community Council by special invitation.

Attendees can make an important contribution to the meeting and their advice and guidance is often extremely valuable. It is important to remember attendees are not elected Community Councillors, they should be invited to speak by the Chair and they have no voting rights.

Public Visibility

All meetings should be open to the press and public. Members of the public should be encouraged to attend Community Council meetings and the dates and venues of meetings should be publicised well in advance. Many Community Councils set their meeting dates for the year at their Annual General Meeting and these are publicised through social media, community notice boards, community newsletters etc.

It is also helpful to let the community know how to contact the Community Council. Many publicise the names of Community Councillors and have generic email addresses which are checked by several Community Councillors.

In exceptional circumstances Community Councils can take items in private where there is a requirement in terms of confidentiality. These matters should be discussed with only Community Councillor members present, although where special expertise is required, others may be invited to attend. Such meetings should be confidential and a sensitive record taken of the decisions reached. This record should then be reported at the next regular meeting of the Community Council to ensure transparency. Further advice and support can be provided by the Area Office should this be required.

The minutes of all meetings must be circulated to all Community Councillors and must also be made available to the public. For example, these can be shared online, by social media, on community notice boards or through public libraries.

Good relations should be established with the local press and, if reporters do not attend Community Council meetings, a suitable press release should be issued highlighting important matters discussed and conclusions reached.

Public Liability

It is important that Community Councillors ensure that public liability and other insurance protection or policies taken out by the Community Council are adequate. It is the responsibility of the Community Council to ensure that it is adequately insured. Aberdeenshire Council does not insure Community Councils directly, but it does provide funding, via the administration grant, to be used for essential insurance cover.

Liability of Members of the Community Council

If a member of a Community Council is concerned about any liability emanating from their activities as a Community Councillor, then it is the responsibility of the Community Councillor to seek independent legal advice. Aberdeenshire Council cannot offer legal advice to Community Councils or Community Councillors on liability.

The information below is a statement of the factual position as at the date of this handbook. Any queries on liability must be directed to an independent legal adviser.

If the Community Council is proposing leasing a property or delivering a service, then the Community Council should take independent legal advice before proceeding.

Facts

The legal status of a Community Council is an unincorporated association. Under the current legislation in Scotland, an unincorporated association does not have separate legal personality. This means that the law does not recognise a Community Council as a body that is separate from its members.

As an unincorporated association, a Community Council cannot for example, in its own name; enter into contracts; sue or be sued; take on a lease or own property or employ staff. Usually, these actions are done in the names of the office bearers.

This means that when a Community Council make decisions, all members of the Community Council are liable in respect of that decision.

To be able to make a legal claim in Scotland, the claim has to be made within a certain amount of time from action that caused the potential claim. For most types of claims this is 5 years. However, the limitation period for liability in relation to personal injury, is currently three years.

Equalities and Diversity (e-learning module available click [here](#))

In Section 8 of the Scheme for the Establishment of Community Councils there is a requirement for all Community Councils to comply with the Public Sector Equality Duty.

The Public Sector Equality Duty was created by the Equality Act 2010 and came into force in April 2011. The protected characteristics are age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation. The general equality duty is set out in section 149 of the Equality Act.

Community Councils are subject to the general equality duty must have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity between different groups
- Foster good relations between different groups

The Scheme also requires a Community Council to encourage its members to participate in any Equalities training offered by Aberdeenshire Council. There is ALDO training available and this can be accessed [here](#).

Data Protection (E-learning course available click [here](#))

Under Data Protection legislation there is a requirement for Community Councils to register with the Information Commissioners Office (click [here](#) to register). Community Councils determine what information they hold and what they use it for and are therefore considered to be Data Controllers. There will also be Data Processors within the Community Council that act on behalf of the Community Council in handling this information.

The General Data Protection Regulation (GDPR) came into force on May 25th 2018.

Aberdeenshire Council's Data Protection Officer cannot advise Community Councils on data protection matters and will not provide specific training. However, Community Councillors can access the E-learning course (click [here](#)).

Community Councils can access information direct from the Information Commissioners Officer [here](#).

The Area Office can provide, on request, the Aberdeenshire Council's leaflet, that officers have access to.

The following links to YouTube are useful for Community Councils.

[Introduction](#)

[Principles](#)

[Privacy Impact Assessments](#)

[Rights](#)

[Privacy Notices](#)

[Breaches](#)

Community Councils and Community Councillors may have:

- **Personal Data** - any information held, or likely to be held by the Community Council, which relates to and can “identify” a living individual is considered to be “personal data”.
- **Sensitive Personal Data** - there are eight categories of personal information considered to be “sensitive” which means that they require to be handled even more carefully, these are:
 - racial or ethnic origin, political opinions, religious beliefs, trade union membership, physical or mental health, sex life, commission of offences and proceedings for any offences committed by the individual.

The Community Council has a responsibility to ensure that:

- Data is processed fairly and lawfully and for specified lawful purposes
- Data is adequate, relevant, not excessive, accurate and kept up to date
- Data is kept for no longer than is necessary
- Data is kept secure
- The rights of data subjects are respected

If a Community Council was to pass personal information to Aberdeenshire Council or any other party for it to use for its own purposes this would be disclosing information to a third party and would be breaching data protection regulations. Community Councillors should not use data obtained through working as a community councillor for anything other than community council matters. Community Councils can be very basic data controllers because they may only keep details of their current membership, name, address, contact details and office bearer details and this would be keeping within the rule of adequate, relevant, accurate and up to date and not excessive. However, on occasion it may hold more information when assisting with a resident and it should ensure that the information is held securely and deleted as soon as the issue has been dealt with. The nomination form has a privacy notice attached. This is the privacy notice of Aberdeenshire Council, as the Area Manager will be the Returning Officer.

3. The Community Councillor (E-learning Course available click [here](#))

As a Community Councillor it is important that you recognise from the outset the role that you are required to undertake in your community. This means that you do not simply offer your own views and opinions on local issues, but you represent the views of your community. You should discuss the issues with a range of members of your community and consider the various opinions put forward before the issues are discussed at your meetings.

You should encourage people to bring issues to you so that you can raise them at Community Council meetings. However, before taking matters to the Community Council you should establish the facts from the various parties involved to ensure a balanced view is presented.

At some point it may be that you will find some conflict between your own personal views and interests and those of the community that you are representing. In these situations, try to make sure that the views of the community take priority when decisions are being made. Failure to do this can result in your community losing confidence in the work of the Community Council.

At times, matters (a planning application for example) may be under discussion by the Community Council that directly affect a member of the Community Council or other parties with whom they have a close business, personal or family relationship. In these circumstances there is likely to be a potential conflict of interest with their role as a Community Councillor that requires to be addressed. The Code of Conduct sets out that where such a conflict arises the member affected should declare the interest, and in appropriate cases, withdraw from the meeting prior to the matter coming under discussion and take no part in the decision. It is your responsibility to identify whether you have an interest and to declare it. This is to ensure openness and transparency and to avoid any perceptions that the Community Council, or any of its members, is acting in any other than a wholly impartial way. Members who have an interest should direct residents with views on this topic to other Community Councillors.

All such declarations should be formally recorded in the Minutes of the Community Council meeting.

The task of any Community Council is to identify the needs and aspirations of its community and to take decisions that will lead to appropriate action in that community. At some point this might involve setting priorities on the competing or conflicting needs of different sections of the community. Competition and conflict are normal in any community. What is important is that you approach competition or conflict in a **fair and reasonable** manner. This means taking a **balanced view** of your community's needs and aspirations and giving a fair hearing to representatives from different interest groups. All decisions should be taken in accordance with the requirements of the Equality Act 2010 (E-learning course available).

The public has a high expectation of its representatives including members of Community Councils and the way in which they should conduct themselves in undertaking their duties. You must meet those expectations by ensuring that your conduct is above reproach at all times.

As a Community Councillor, it is your responsibility to make sure that you are familiar with, and that your actions comply with, the provisions of the Code of Conduct. The Code of Conduct is in Schedule 5 of the Scheme of Establishment for Community Councils but for ease it is in Appendix 1.

4. The Chair (E-learning course available click [here](#))

The Chair has perhaps the most important single role to play in ensuring that Community Council meetings run smoothly, however all Community Councillors have a responsibility to support the Chair.

The Chair should 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.

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 less formal meetings, the Chair may be content simply to steer the general direction of the discussion.

Perhaps most importantly of all, the Chair is expected to know the rules by which the Community Council operates and ensure that it works within these. The rules are found in the Scheme, the Constitution which also includes the Standing Orders.

It is important to recognise, that the Chair's role extends outwith the meeting itself. 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.

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 members.

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. The Vice-Chair should be prepared to take over as Chair at the end of the current Chair's term.

5. The Secretary (E-learning course available click [here](#))

The Secretary is responsible for:

- The Agenda
- The Minutes of the meeting
- Answering all correspondence
- Writing any letters
- Circulating information to Members
- Public relations, dealing with the press, TV and radio (this could also be delegated to the Chair)

- Looking after visitors
- Arranging the venue for meetings
- Liaison with officials of the local authority
- Supporting the Chair and providing (or obtaining) legal and other specialist advice.

To be successful, a Community Council must have an energetic and conscientious Secretary prepared to put in the necessary time and effort. Members, especially the Chair, have a responsibility to spread the Secretary's load. It is bad practice to overload your Secretary and this may lead to you having difficulty getting volunteers. The Secretary's duties may be delegated to more than one person.

It is essential that the Secretary has access to a computer with e-mail and office software along with access to photocopying facilities.

6. The Treasurer (E-learning course available [click here](#))

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.

The Treasurer must manage the bank account and all funds received. They must ensure money is only spent in a manner approved by the Community Council Members as recorded in the minutes.

The Treasurer must maintain the Community Council's financial records so that they disclose, with reasonable accuracy at any time, the financial position of the Community Council.

All cheques issued should be signed by at least two persons authorised by the Community Council Members as recorded in the minutes and notified to the bank in writing. As a general rule, Treasurers should avoid paying out money except by cheque. This makes accounting for expenditure much more transparent, however, it is recognised that more Community Councils are using internet banking. Therefore, it is up to each Community Council that governance and monitoring procedures are put in place.

The Treasurer should always be aware of the current balance available for members to spend prior to any funds being committed to a project.

The Treasurer must keep proper records of all receipts and expenditure and prepare an Annual Statement of Accounts. An independent external verifier should be appointed to examine the accounts to provide a verification of the work of the Treasurer.

The Statement should be formally approved at the next AGM, when the Treasurer must report and answer any questions raised by Members of the Community Council or the public. A copy of certified and approved accounts must be sent to the local Area Manager's Office along with the draft minute of the AGM to show the accounts have been approved, this will allow the Council to release the Community Council's administration grant funding.

The format for the presentation of accounts is provided within the Scheme for the Establishment of Community Councils in Schedule 6.

7. Ways of Working

Reacting to issues

Elements of the work of Community Councils will be reactive e.g. reporting faults or issues and this is perfectly fine. Community Councils can, on behalf of their residents, raise or report these issues to the relevant authorities. However, much of this work can now be done directly to the Council or other organisations and does not need to wait until a Community Council meeting to be reported e.g. Aberdeenshire Council has at the top of its online services that allow any resident the opportunity to “Pay, Report, Request or Apply”. Under the “Report” tab, there is a menu giving the opportunity to report non-collection of bins, dog fouling, fly-tipping or roads and lighting faults. This can remove the need to spend valuable discussion time at meetings and allow the Community Council to focus on more complex issues.

Community priorities

In addition to reacting to issues as they come along, Community Councils can also have a key role in developing and enhancing their communities. They are ideally placed to identify and shape priorities around facilities, the environment and service provision in both the short and longer term.

The first step is to take a careful look at the ways in which your community might be developed. Examine the needs that are apparent in the community and try to identify any particular projects that might be translated into reality. Consider the likely impact of matters such as the availability of funding or the potential closure of facilities or reduction in service provision. To help you do this it is important to consult widely within your community. This will help you find out whether people in general are supportive and will also help you identify particular concerns they might have. By consulting early there is a greater likelihood that the community will be supportive of any action the Community Council takes. It also minimises the risk that the Community Council moves in a direction that alienates the community.

The Community Council then needs to decide how best to get involved to benefit of the community. There are a number of aspects that need to be considered, including:

- identifying all of the options available
- identifying how much time, energy and money the Community Council would be able to provide
- consider who else could become involved in the project, i.e. Aberdeenshire Council and other Community Planning Partners
- clearly identify the outcome that is expected

Then the Community Council should start taking decisions about which option offers the most benefit or makes the most sense given the circumstances.

Once you are clear about what the overall outcome is, it is possible to set specific objectives. These can be identified within an action plan, which can give **information** about the specific actions, timescales, resources required and who is responsible for each action. It is important that your community is kept up to date and involved throughout this process. It is equally important that you celebrate your successes.

Community Empowerment (Scotland) Act 2015

Through the Act there are a number of opportunities for the Community Councils to have a role in the delivery of services or the transfer of assets.

Asset Transfer

There are several ways in which Community Councils, uniquely placed at the centre of their communities, can play a key role, particularly in the early stages of the asset transfer process. As well as being able to give a group advice on the wider aspects of community priorities or local plans this support can be by:

1. Being proactive and/or involved in creating Community Action Plans for their communities. These not only gather the needs of the community but also look at ways of communities taking the lead addressing these needs where they can and where there is a desire to do so. This has happened all over Scotland and has led to the real empowerment of local communities.
2. Exploring as a Community Council, supporting the facilitation of the establishment of an independent, community-run anchor organisation such as a Development Trust, to take ownership of the asset and run it in the future. It is worth noting that it is very important that this anchor organisation has true community support and is a legal entity in its own right.
3. Working in partnership with a group which can show community support by enabling them to become a “working group” of the Community Council to explore the asset transfer option. By sitting under the Community Council’s Constitution this enables a group to explore these first stages and apply for funding for feasibility without the need to set up an interim constituted body of their own. If the ownership of an asset seems feasible then this group would establish their own legal structure to carry the project forward.

The third option is particularly helpful at a time when setting up a bank account as a basic constituted community group can take some considerable time and effort. It will be important for a Community Council to check it’s Constitution to make sure it is set up to do this, but most structures do support this role.

If you are a Community Council interested in looking at asset ownership, have a look on the Development Trust Association Scotland website: www.dtascommunityownership.org.uk, or contact them at their office in Edinburgh on 0131 225 2080.

Participation Requests

What is participation and why is it important? The broad aim of the Community Empowerment (Scotland) Act 2015 is that communities can have more influence over the services and decisions that affect their lives. Some of the benefits of better participation include:

- The way in which public services are planned, developed and delivered is influenced by, and responds to, community need.
- People who find it difficult to get involved (for example, because of language barriers, disability, poverty or discrimination) help to influence the decisions that affect their lives.
- The various strengths and assets in communities and across public and private sector agencies are used effectively to deal with the issues communities face.
- New relationships are developed between communities and public sector bodies which build trust and make joint action possible.

Purposes and possible uses of participation requests

There are a number of possible purposes that participation requests can be used for, some of these include:

- To help people start a dialogue about something that matters to their community, through highlighting needs, issues or opportunities for improvement.
- To help people have their voice heard in policy and service development, through contributing to decision-making processes.
- To help people to participate in the design, delivery, monitoring or review of service provision, through contributing to service change or improvement.
- To help people challenge decisions and seek support for alternatives which improve outcomes.

For more information about Participation Requests please visit:

<http://www.scdc.org.uk/media/resources/policy-and-practice/PR%20Summary%20Guidance.pdf>

8. Meetings (E-learning course available [click here](#))

For all Annual General, Special and Regular meetings, an Agenda must be published and circulated by the Secretary well in advance (good practice suggests at least one week) so that everyone knows what is to be discussed and can be prepared in advance.

Format

A suggested format for Agendas might be:

Meeting of the (name of Community Council)

At (enter venue)

On (enter date and time)

AGENDA

- 1 Apologies and Declarations of Interest
- 2 Minutes of Last Meeting
- 3 Matters Arising
4. Police Report
5. Any arranged speaker/presentation (if appropriate)
6. Urgent Items of Business
7. Planning applications
8. Reports from Sub-Committees/Working Groups
9. Updates from Aberdeenshire Councillors
10. Any questions from Members of the public
11. Correspondence
- 12 Treasurer's Report
- 13 Time and Place of Next Meeting

- **Apologies and Declarations of Interest**

The apology of any Member who is unable to attend is recorded for the minutes. It is also important to record who was present, so that it will be known in the future.

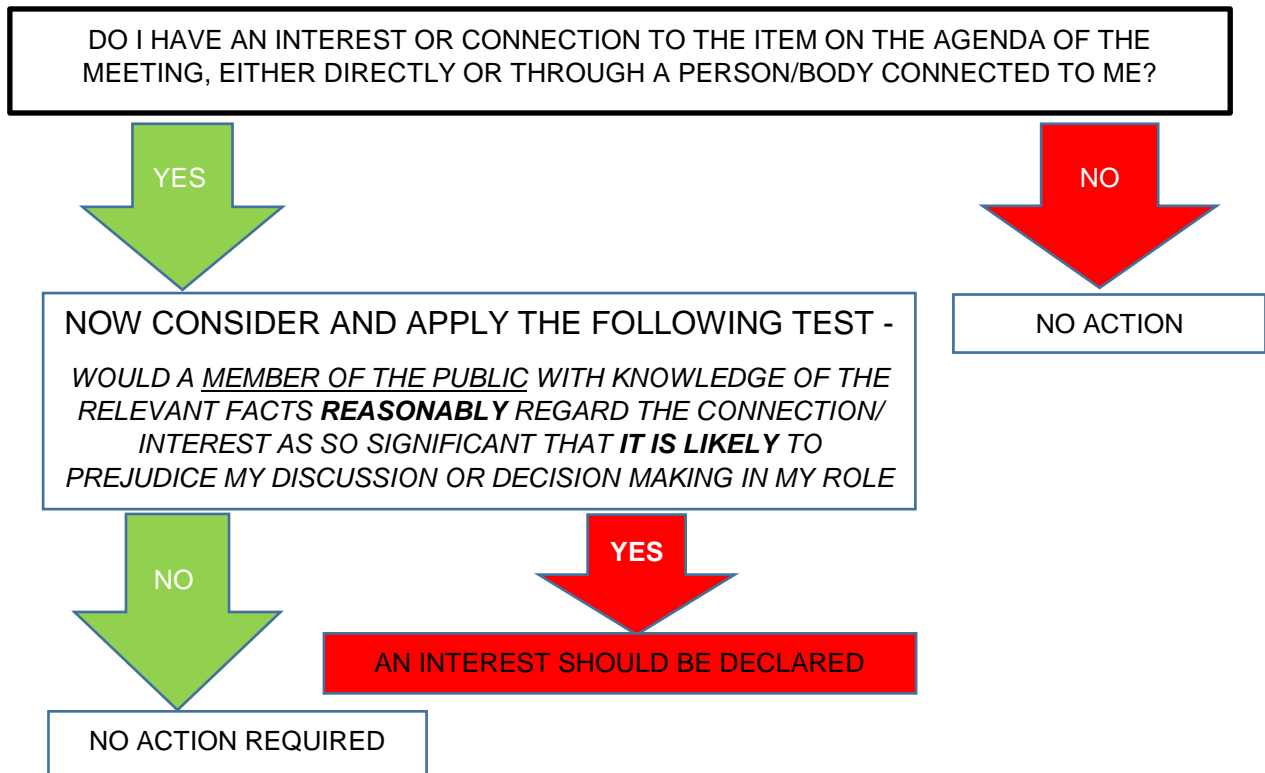
At times, matters may be under discussion by the Community Council that directly affects a member of the Community Council or other parties with whom they have a close business, personal or family relationship. In these circumstances there is likely to be a potential conflict of interest with their role as a Community Councillor that requires to be addressed. The Code of Conduct sets out that where such a conflict arises the member affected should declare the interest, and in appropriate cases, withdraw from the meeting prior to the matter coming under discussion and take no part in the decision. It is your responsibility to identify whether you have an interest and to declare it.

This is to ensure openness and transparency and to avoid any perceptions that the Community Council, or any of its members, is acting in any other than a wholly impartial way.

Some examples are:

- You are, or you have a close relationship with an applicant in a planning application or liquor licensing matter.
- A planning application affects your property or business interests or the property or business interests of someone you have a close relationship with.
- Membership of another community body that has applied to the Community Council for a grant.

The flowchart below is a useful reminder on when to declare an interest.



SUGGESTED STATEMENT

I HAVE AN INTEREST IN ITEM xx BY VIRTUE OF [EXPLAIN NATURE OF CONNECTION] AND SO I WILL LEAVE THE MEETING AND TAKE NO PART IN THE ITEM.

- **Minutes (E-learning course available click [here](#))**

At this point in the meeting the minutes of the previous meeting are formally approved. The Chair should ask those who were present at that meeting if they are in agreement that it is a true record of the meeting concerned. If any Member wishes to query any point, this is the time to do it. Any suggested amendments are discussed and, if agreed, are noted and minuted. This is an opportunity to clarify accuracy, not re-open discussion on decisions made. It is the responsibility of the Chair to manage this discussion.

Once the minutes has been agreed a member should propose the minute and another member should second this. Any disagreement should be resolved through a vote, which should be recorded in the minutes.

Once the minutes are formally adopted they cannot be changed.

- **Matters Arising**

By going through the minutes of the previous meeting the Community Council can ensure that all actions have been completed and that issues have been resolved. As all discussion is recorded in the current minutes, items completed can be removed, but items still ongoing remain until the next meeting. Any correspondence received relative to matters being discussed is best read out by the Secretary at the appropriate point.

- **Police Report**

A police presence is welcomed at Community Council meetings and it is preferable to have this early on the agenda to allow officers to return to their duties once the item is completed. If there is no police presence, there should be a written report provided and it is good practice to note issues or questions to be referred to the Police for their attention.

- **Any arranged speaker or presentation**

Requests may be received from developers or agencies undertaking work in the Community Council area to attend a meeting and present their proposals. It is up to the Chair to determine whether to accept these parties on to the agenda and to allocate the amount of time that they will get.

- **Urgent Items of Business**

There may be items of business that have come to light since the agenda was published. This item allows for these to be highlighted and for the Community Council to determine whether action or discussion is required now, or whether the item can be deferred until the next meeting when it will appear on the formal agenda.

Only items that that cannot wait until the next meeting should be discussed at this time. It is important that, as far as possible, all items discussed by the Community Council appear on the agenda so that the community can see what is being discussed in advance and attend to hear the discussion if they wish.

- **Planning applications (E-learning courses available - Application Process click [here](#)). Community Councils Influence in planning click [here](#) and Major Planning Applications click [here](#))**

Planning is often a key concern of Community Councils and to the public in their areas. A Community Council is a statutory consultee for planning applications within its area and should consider the implications of applications on the community and its residents. Community Councils may decide to delegate authority to monitor the weekly planning to list to a member or sub-group given the timescales involved and the degree of scrutiny often required. They should be in a position to highlight key applications that require further discussion and consideration and to seek extended timescale for this happen where appropriate.

Where decisions are delegated to a sub-committee then these should be reported at the next Community Council meeting for homologation and noting in the record. Similar procedures should be followed in regard to commenting upon Local Development Plans or other strategic planning documents.

When making representations to a planning application it is important that the Community Council tries to provide comments that are material to the planning process or that it provides evidence or justification for its view.

- **Reports from Sub-Committees/Working Groups**

If a Community Council has set up sub-groups or working groups to progress projects to discuss in detail a consultation, it is important that the group reports back its discussions so that the wider membership can understand the activity and decisions can be taken on the way forward.

- **Updates from Aberdeenshire Councillors**

Aberdeenshire Councillors will routinely be in attendance at your meetings as ex-officio members of the Community Council. It can be helpful to have an item that allows them to update the Community Council on some of the activity of the Council or actions that they have agreed to undertake. This will also allow the Community Council to raise issues on which it would like advice or assistance from the Councillors.

- **Any questions from Members of the public**

All Community Council meetings are open to the public and it good practice to have an opportunity for them to become involved in the meeting and raise issues that they would like the Community Council to consider. These questions need to be provided in writing not less than 5 working days before the meeting or in accordance with how the Community Council has provided in its Standing Orders.

- **Correspondence**

Correspondence to the Community Council should be initially be read by the Secretary and then circulated to the full membership. The Secretary should highlight any item of correspondence that requires action or discussion at the next meeting in order to allow members to prepare in advance. If the item of correspondence will impact on the Community Council area, it should be listed as a separate item of business on the agenda.

- **Treasurer’s Report**

The Treasurer should provide an update on the financial position of the Community Council and any transactions at every meeting.

- **Time and Place of Next Meeting**

It is important where possible that everyone knows, or is reminded of, the time and place of the next meeting before the meeting breaks up, even if there is an existing published timetable of meetings

AGMs and Special Meetings

The Constitution will rule on the notice required and the matters that can be considered at Annual General and Special Meetings.

Normally, no other matters may be raised at the AGM other than what is stated within the agenda which must be published the prescribed number of days before the meeting as detailed in the Constitution. However, Community Councils can convene a business meeting once the AGM has been closed.

For convenience, the Secretary should circulate the Minutes of AGMs immediately after the meeting, as well as 12 months later.

A typical AGM agenda will be:

Annual General Meeting of the (name of Community Council)

At (enter venue)

On (enter date)

AGENDA

1. Apologies
2. Minutes of Last AGM
3. Chair’s Report
4. Treasurer’s Report including the Annual Accounts and where election(s) are to be held, one or more of the following:
5. Election of Chair

6. Election of Vice Chair
7. Election of Treasurer
8. Election of Secretary
9. Time and Place of the Next Regular Meeting

Election of Office Bearers

It is good governance and best practice to ensure that office bearers are elected fairly, transparently and democratically. The best practice to follow is -

Each role must be dealt with in turn.

The process is that the current office bearers either indicate that they are stepping down or that they are willing to stand again. All community councillors must then be given the opportunity to say that they would like to be considered for the role.

To be elected as an office bearer a person must be proposed and seconded. This will be formally minuted.

If there is more than one person proposed, then it will go to a vote in accordance with the community council's Standing Orders or in the absence of standing orders, the model standing orders in the Scheme in Schedule 3.

It is recommended that if there are more than two nominations, then the process in the model standing orders in section 4.4.2 is used to end up with only two persons for the final vote.

NOTE - There is no casting vote available for the chairperson as technically there is no chairperson in place until after the vote.

There is no prohibition on a person voting for themselves. Presumably each person nominated will vote for themselves.

It is prudent to agree beforehand what will happen if there is equality of votes. This could be a re-vote after a short presentation from each candidate, drawing of lots or another system devised by the community council.

The agenda for **Special Meetings** must be restricted to only those items raised in the motion calling for the meeting. No other matters must be discussed. Any special resolutions should be passed or rejected as printed on the agenda. Any alteration should only be with the consent of those present and then only if the Constitution allows for the printed resolution to be amended.

A typical agenda would as overleaf:

Special Meeting of the (name of Community Council)

At (enter venue)

On (enter date and time)

AGENDA

To consider the special resolution as detailed below

1. Apologies
2. Details of special resolution to be discussed

Voting will be as allowed by the Constitution. The Constitution will provide registered electors present may vote.

Minutes will be taken of the meeting and considered at the next regular meeting.

Cancelling Meetings

The Chair may cancel or reschedule any meeting. Notice of cancellation must be given as soon as possible and a public notice confirming the cancellation should be displayed at the meeting venue. In addition, the Community Council should use all medium available to it to inform the community so that people do not travel to the meeting.

9. Minutes (E-learning course available click [here](#))

Minutes in a standardised format must be taken of all regular meetings, AGMs and Special Meetings. They must record:

- the date of meeting, time and location
- those present
- apologies received
- who was in the Chair
- all elections and appointments
- votes
- agreed expenditure
- topics discussed
- agreed actions
- Decisions taken

Good minute taking is a skill, it is important that you get a flavour of the discussion, but the most important element is that all decisions are minuted correctly.

As the permanent record of the Community Council's business, they are a very important document with both historical and legal implications. The format of the minutes follows closely that detailed for the agenda with subheadings corresponding to agenda items and each topic discussed.

Copies of the approved minutes should be circulated to Members, the local authority and to the local community via copies placed on noticeboards and on websites, etc within 10 working days of the minute being approved.

Minutes of all meetings must be retained in perpetuity for future reference and passed on to each new Secretary for safekeeping. Other correspondence should be held for at least 5 years.

Draft minutes should be agreed by the Chair before being circulated to the full membership.

10. Getting the most out of meetings (E-learning course available [click here](#))

Meetings are of crucial importance to the work of Community Councils. It is at meetings that opinions, ideas, feelings and good intentions get translated into hard decisions, and it is those decisions that will ultimately be translated into practical action in your community. If you really want to influence what is going on in your community then it is vital that you learn to participate **effectively** in the work of your Community Council's meetings.

Having a clear **agenda** to follow is essential – it keeps the meeting on track, prevents timewasting and ensures that all the business is discussed. It is also helpful if, wherever possible, written **reports** are circulated in advance, this allows members the opportunity to prepare for the discussion and will save time giving background to the issue in the meeting. If there is something of major significance that you want to raise at a meeting make sure that you tell the Secretary **in advance** so that it can be included as an item on the agenda.

The Chair and members have a joint responsibility in the effective running of the meeting. It is important for everyone that the meeting starts and finishes on time and that the items on the agenda get an appropriate amount of discussion time. The Chair should close each item by detailing any decision made, however, it is the responsibility of each Community Councillor to ensure that they fully understand the decision and if not, they should clarify with the Chair at the time.

Prepare prior to the meeting by reading all the briefing papers that you receive, i.e. agenda, minutes of the last meeting, information about issues that will be discussed at the meeting etc.

Understand the **purpose** of the meeting – what decisions will be made, is it an information platform, will it only be a discussion forum – what will be achieved from having the meeting?

Prepare your **input** by thinking through the issues, do a little research if required, find out more about the issue, and plan how you will contribute to the discussion and the decision making process.

Take all the relevant **papers** with you to the meeting.

People have a greater respect for others who only speak when they have something worth saying – but equally it is important that you do **participate** in the meeting – your view and opinion is important.

Abide by the **protocols** of the meeting – only speak through the Chairperson when asking a question or contributing to the discussion, this ensures a controlled and efficient meeting. Meeting rules come in the form of the Constitution and Standing Orders. These rules set out the structures and formal procedures that should be adhered to during any meeting.

It is perfectly normal that, in any meeting, the individuals present will have different, sometimes opposing, views. For this reason it is important that meetings are chaired effectively so that there is a **balance** between hearing what everyone has to say on a subject and getting through all the items of the agenda.

The Minutes will provide a record of the discussion and decisions taken at the meeting and it is important that you read the Minute to ensure that it is accurate and raise any queries or requests for amendments at the appropriate time during the next meeting. You should ensure that all **actions** that were attributed to you have been undertaken.

If there were quite a few actions relating to one issue, it can be helpful for the Community Council to develop a **plan of action**, setting the timescales, priorities and who needs to be involved. When working within a given timescale, this helps you monitor progress and lets you know what is outstanding and where problems exist.

Sometimes you may be asked to participate in a **working group** in order to research some points for the next meeting of the Community Council. Working groups can play an important part in clarifying issues so that decision making is easier at future meetings. Although working groups may involve some extra time commitment you should try as far as possible to get involved so that the work of your Council is spread evenly and you get a deeper insight into what is going on at Council meetings.

Behaviours within the meeting will have a positive or negative effect on the outcome and success of the meeting.

Positive behaviours include: proposing; supporting, involving other people in the conversation, seeking information, giving information, testing understanding, openness, honesty and summarising.

Equally negative behaviours will have a detrimental effect of the outcome and success of the meeting.

Negative behaviours include: disagreeing in a dismissive way, attacking, interrupting or halting the speaker and blocking progress.

All Members have the right to:

1. State their opinions and put forward suggestions
2. Have a fair hearing
3. Understand what has been said and if not have it explained to them
4. Know in advance approximately how long the meeting will take
5. Know what has been agreed or decided.

It is much more effective to **work together and co-operate** rather than by being confrontational. This is equally true whether in meetings, in dealings with other members or in correspondence, e.g. writing to officials, etc.

Community Councils have a lot of responsibilities and will find it difficult to find time to cover everything. They should not spend too much time on issues like grass-cutting or potholes, whilst these issues are important, it should not be forgotten that any member of the public can contact the local authority directly and most Community Councillors have a list of Council contacts they can use on behalf of individuals if asked to do so - these issues do not need to wait until the next Community Council meeting. Most Community Councils only get involved in these issues when the individual or Community Councillor has passed on the complaint and no action has been taken.

The wider strategic issues such as changing economic conditions, demographic changes in the community and long-term development proposals are areas that Community Councils should consider as part of their wider agenda. They have an important role to play during the consultation and implementation phases – these should not be overlooked because of the “domestic” issues or because there is another issue that appears, on the surface, to be more urgent – the strategic aspect of a Community Council’s agenda is often the business that leaves a positive legacy for their communities. Members with specific knowledge, skills or experience can be invaluable in these cases and it may be that the Community Council delegates the role of “watching brief” to relevant members where they are responsible for bringing to the table, at appropriate times, updates on strategic issues and advising on what action is required.

In summary, during **effective meetings**:

1. Members understand the purpose of the meeting and what they are trying to achieve.
2. Members are interested in the outcome of business and are committed to regular attendance.
3. The meetings generally take place within a limited timescale.
4. Members feel free to make suggestions, criticisms and express opinions.
5. Members come along to meetings prepared having read the agenda and relevant papers.
6. Members move from item to item on the agenda knowing what decisions have been reached.
7. Members are confident that the Chair will handle business fairly and without bias.

8. There is full participation in the meetings and important topics are given serious consideration before decisions are made.

And during **ineffective meetings**:

1. Members are not sure why they are there and are not clear about the part they should play in the meeting.
2. Members show signs of boredom and their attendance is patchy.
3. Members do not know in advance of any meeting how long it will last or agreed finishing times are frequently ignored.
4. Members feel inhibited about openly expressing their views because they are afraid of giving offence or appearing foolish.
5. Members are given the meeting papers as they arrive at the meeting – this results in time being spent reading the material as each item arises.
6. After discussion is often not clear what the outcome is and members move from one item to the next, unclear of what decisions, if any, have been taken.
7. Members suspect the Chair is favouring certain individuals and allowing them to influence the outcome of the meeting.
8. There is a low level of discussion about most issues with the same one or two making the running.

11. Dealing with the Press (E-learning course available [click here](#))

Telling Your Story

As a Community Council, you now have more ways than ever before to tell your own story. Digital technology puts communication in your hands and allows you to decide on your message, tone of voice and personality.

Social Media

Communicating a message through social media is often the fastest way to get an important update to your audience or to tell your side of a story. It is also a great way of sharing information and getting insights into the views of your community.

Things to think about:

- Draw up a plan for which accounts you want, how to set them up and what content you will put on them. Does anyone on your Council already use these sites personally? Could they lead on this?
- Use as many quality, relevant images as you can.
- Keep your pages updated regularly and don't ignore questions you are asked via posts or comments.
- Tag people in your posts to boost reach and awareness.
- A short video posted to Facebook to explain a decision or a development will get better engagement than a lot of text in a post.
- Promote the addresses of your social media in any of your other materials to help spread the word.
- Don't forget that you should only post something online that you would want to be in the public domain.

Website

Having a presence on a website is a valuable resource. It allows prospective members to learn about you, provides a place for residents to find out what you do and can be used to store essential Community Council information. A basic website can be set up for relatively little cost.

Things to think about:

- Use relevant, quality and engaging pictures to make your website attractive.
- Consider accessibility and make sure that your website is easy to use for all.
- Have a plan for updating the site, to prevent it becoming stale.
- Post links to your website on social media, and links to your social media on your website.
- Make sure your contact details are on your site and are easy to find. Email and phone numbers.

Engaging With The Media

The print and broadcast media will take an interest in the decisions and discussions at Community Councils. If you have a social media presence, they may follow you and get their stories from your posts or attend meetings.

Things to think about:

- If you are asked to do an interview, think about your message before you begin and always be clear and concise.
- Respond to media requests in a timely manner as they may be on a deadline, but don't be rushed into speaking before you are ready.
- Be sure that something is fact before speaking and don't speculate.
- Don't say "no comment", explain why an occasion may have arisen that you are not able to speak about.
- You may wish to write a press release about a significant development. If so, keep it concise, make the information clear, factual and understandable and provide supporting images where you can.

There is a lot of useful information on our website:

<http://aberdeenshire.gov.uk/communities-and-events/community-councils/>

12. Dealing With Conflict

Working in a Community Council may not, at first sight, appear to have much to do with "politics", indeed all Community Councils will act as non-political bodies in the party political sense. However, it has to be recognised that the work of Community Councils concerns the exercise of power, albeit at a very local level. For example, there is the power to:

- get things done in the community
- take on the other tiers of government
- raise funds to support particular projects
- allocate resources within the community

Wherever power is exercised there is always the possibility of conflict developing. This may be because individuals and organisations find themselves competing for access to the resources in the community or it may be simply that individuals or organisations wish to demonstrate their ability to wield power and influence in the community.

Whatever the reason, conflict can break out from time to time even in the most peaceful of communities. When it does it is important to know how to deal with it effectively so that major rifts do not develop.

Community Councils need to ensure that, as far as possible, they exercise their power in a fair and reasonable manner. They should also try to ensure that they work in a tactful and diplomatic manner, liaising and consulting with individuals and other organisations in the community wherever possible.

Conflict Within Community Councils

It also has to be recognised that conflict can break out within Community Councils, just as in any other part of the community. It may be that conflicts are imported into the context of the Community Council from outside, or it may be that conflict breaks out because of a particular issue that is on the agenda. In any case it is useful to think about dealing with such conflict before you actually find yourself in the situation. This gives you a chance to work out a strategy before you get caught up in the emotion of the event.

Personality Clashes

Conflict which relates to a clash of personality is perhaps the most difficult to deal with because the actual issue over which the clash takes place may simply provide an opportunity for the parties involved to demonstrate their strongly opposing views. Where this is the case they may be less concerned with reaching agreement or getting through the Community Council's agenda than with addressing their own personal agenda.

Such personality clashes can make other Community Councillors feel uncomfortable and can prove damaging in the long term to the work of the Community Council. In this situation it is worthwhile remembering that it is not usually possible to change a person's personality. What can be changed, however, is their behaviour, that is, what they actually do.

If there are certain things which someone is doing that cause conflict in the group, e.g. rudely interrupting other people or monopolising the discussion, it may be possible to find a way of persuading that person to change his or her behaviour. This can sometimes be achieved by the use of good natured humour, aimed at making the person aware of the behaviour that other people find offensive. At other times it may be necessary to try to persuade the Chair to intervene more forcefully so as to prevent that behaviour leading to conflict.

In any case it is generally a good idea for Community Councillors to talk about how they feel about "difficult" behaviour, otherwise there is a danger that communication will break down and conflict will emerge eventually in an even more damaging form.

Conflict over Community Issues

Another form of conflict that you might come across in meetings relates to the particular community issues on the agenda. From time to time issues will arise that some Community Councillors feel particularly strongly about. This may be because of their personal beliefs or values, or it may be because they are representing the strong views that are held in sections of the community. If you do find yourself in this sort of conflict it is important to show that even if you don't see things the same way as the other person(s), you recognise that they feel strongly about the issue and you understand what their concern is. You should then explain your feelings on the matter, being firm but friendly, trying wherever possible to find concerns that you share with them. Then move on to the areas where you differ and try to use their ideas as a base on which to build a solution that is acceptable to all concerned.

In all types of conflict, a Community Councillor arriving at the meeting "all fired up" about a particular issue is unlikely to act constructively or agree compromise. A wise Chair will, as early as possible, allow both sides ample time to state their case and then try to engineer a compromise.

Planning issues can often arouse considerable feelings, conflict and are potentially divisive. It is important that all sides are given the opportunity to make their views known and the role of the Chair can be crucial in managing a difficult situation. Depending on the circumstances, it may be useful to hear representations from prospective developers and from those that are either supporting or objecting to development proposals. It is important that equal opportunity is given to all sides and in these circumstances, time limiting contributions may be appropriate.

In situations where it has been impossible to solve the conflict and it has escalated to a complaint being made against the Community Councillor(s), there is a Community Council complaints and appeal hearing procedure which should be followed.

13. Funding

Community Councils receive an annual administrative grant to assist with the operating costs of the Community Council. This includes the cost of their Data Protection registration.

Community Councils also have the power to secure funding for schemes, projects and all other purposes consistent with its function and can apply for grants for suitable projects.

There are a number of ways to source funding and listed below is some advice and useful links.

Community Action Plans

Community-led Action Planning is a recognised and respected method for helping community representatives to identify issues and needs in their communities. This happens in partnership with residents and stakeholders and provides a clear process for identifying where responsibilities for actions lie in order to address those needs and how communities can access support and funding.

For more information on developing a Community Action Plan for your area, please use the link below for your local Rural Partnership contact details:

<http://ruralpartnerships.co.uk/>

Here are some useful links on funding information:

Aberdeenshire Council Funding Information:

<http://www.aberdeenshire.gov.uk/communities-and-events/funding/>

Aberdeenshire Community Planning Funding Information:

<http://www.ouraberdeenshire.org.uk/resources-and-useful-links/>

Scottish Community Council Funding Page:-

<http://www.communitycouncils.scot/funding.html>

For more local funding information, please contact your local Area Manager's Team:

Banff & Buchan	banffbuchan@ouraberdeenshire.org.uk
Buchan	buchan@ouraberdeenshire.org.uk
Formartine	formartine@ouraberdeenshire.org.uk
Garioch	garioch@ouraberdeenshire.org.uk
Kincardine & Mearns	kincardinemearns@ouraberdeenshire.org.uk
Marr	Marr@ouraberdeenshire.org.uk

14. Aberdeenshire Councillors

Aberdeenshire Councillors provide an important link between Community Councils and Aberdeenshire Council. All Aberdeenshire Councillors are ex officio members of their local Community Councils and should be invited to all Community Council meetings. This allows them to gauge community opinion on a wide range of matters as well as supporting Community Councils to realise their ambitions.

Aberdeenshire Councillors role as an ex officio member of the Community Council is to observe proceedings and offer advice and guidance and the benefit of their local knowledge and experience. They are not eligible to vote or to hold office in the Community Council.

Building a good working relationship with Aberdeenshire Councillors is obviously important, if all are to gain from the expertise, experience and knowledge which each can bring to the table.

Aberdeenshire Councillors will take cognisance of the views of the Community Councils along with those from other aspects of the community. This rounded picture and the information they gain in these forums will help them make good decisions in their role as Aberdeenshire Councillors.

Some matters that come before Community Councils for discussion will at a later stage come before the Aberdeenshire Council for a decision.

Aberdeenshire Councillors will be lobbied by a wide range of people including individuals, organisations, companies and developers. It is an essential element of the democratic system that any individual should be able to lobby the Council or a Councillor. However, considerations apply when Aberdeenshire Councillors are dealing with applications under regulatory powers such as planning and with matters of a quasi-judicial nature such as the determination of certain licence applications. In these instances, Aberdeenshire Councillors must make it clear that they are not able to lend support for or against any such application which they will have responsibility for deciding on in due course. Any indication of their views may in some circumstances preclude them from participating in future consideration of the matter by Aberdeenshire Council.

It follows from the above that Community Councils should not seek the view of their Aberdeenshire Councillor on how they might vote on an issue when it comes before the Aberdeenshire Council.

15. Insurance for Community Councillors

Quick Facts

1. From 1 April 2018, each Community Council will be able to have its own insurance policy that has the benefit of being part of a larger group of policies. The provider is currently Zurich.
2. Community Councils have to deal directly with Zurich in relation to its insurance cover and it is the responsibility of each Community Council to ensure that it has adequate insurance to cover all its activities and assets.
3. Community Councils are responsible for disclosing all its activities and assets and this information must be kept up to date throughout the year not just at renewal time.
4. Aberdeenshire Council arranges the payment of the insurance premium to Zurich on behalf of each Community Council.
5. Aberdeenshire Council is not responsible for insuring Community Councils. It is not Aberdeenshire Council's insurance policy.
6. Each premium is paid from the administration grant that Aberdeenshire Council gives to each Community Council.

Delving Deeper

Aberdeenshire's Community Councils are all able to be insured with Zurich. The payment of the premium is dealt with by Aberdeenshire Council on behalf of Community Councils (not through Highland Council).

Previously, Highland Council assisted Community Councils with queries and annual reviews/renewal notices and administrative matters. However, due to the change in Financial Conduct Authority regulations, Highland Council can no longer act in this role as they are not a registered insurance broker. Therefore, it is now the responsibility of each community council to deal directly with Zurich. Zurich have advised that it will contact each Community Council directly to deal with annual renewals. Therefore, it is imperative that all Community Council contact details held with Zurich are up to date.

The contact details for Zurich are:

Customer Renewals Team
0800 917 9531
HSrenewals@zurichtogether.co.uk

All Community Councils are responsible for informing Zurich about its activities, assets, property and responsibilities and keeping this information up to date at all times. If there are any changes during the policy year, then Zurich must be informed.

Each Community Council must check and be assured that it is covered for all activities and assets held. Aberdeenshire Council cannot give this assurance as Aberdeenshire Council is not a broker and it is not the Council's insurance policy, therefore, Aberdeenshire Council are limited as to the advice that it can give to Community Councils on its insurance position. The Council cannot advise a Community Council about liability, extra activities, or advice on finding different policies. If this advice is required, then a community council should seek independent insurance, and/or legal and/or financial advice.

If the premium for the insurance is more than the administration grant, then Aberdeenshire Council's insurance team will contact the Community Council to inform it of the balance and make payment arrangements.

Checklist for Community Councils

1. Check that its contact details are up to date with Zurich.
2. When received, complete the annual renewal notice (with full disclosure) and return to Zurich.
3. Report any changes in the year to Zurich.

Can a Community Council make its own insurance arrangements?

If a Community Council makes the choice to go to an alternative insurer, then it is responsible for:

1. cancelling the Zurich insurance
2. informing Aberdeenshire Council insurance team on insurance@aberdeenshire.gov.uk
3. paying the premium directly to the new insurer
4. providing confirmation of adequate insurance cover to the relevant Area Manager

Can a Community Council's insurance cover other community groups?

This should be checked directly with Zurich. There may be specific requirements and conditions that are needed to be met.

If there is a requirement for further information or advice, support and assistance on this matter, please contact the appropriate Area Office.

16. Long Service Award

A Long Service Award is a means of Aberdeenshire Council recognising the service of Community Council members over an extended period of time.

An Award, in the form of a certificate signed by the Provost and Chief Executive of Aberdeenshire Council, is made to any individual who has served as a member of a Community Council for 20 years.

The Award is presented at a suitable occasion such as an Annual General Meeting, a Community Council Forum or an Area Committee meeting. The Secretary of the Community Council can make contact with the local Area Office to notify them of the date, name and length of service for the Award. The certificate will then be ordered and arrangements for a presentation will be organised according to the preferred format.

APPENDIX 1

Schedule 5

Code of Conduct

MODEL CODE OF CONDUCT FOR COMMUNITY COUNCILLORS

- 1. INTRODUCTION TO THE CODE OF CONDUCT FOR COMMUNITY COUNCILLORS**
 - 1.1 Community Councils have a key role to play in supporting a decentralised pattern of local government and service delivery and the Scheme provides a framework within which they and the Council can co-operate and work together. The Council is committed to ensuring successful consultation and working together with Community Councils in all areas of the Council's responsibilities.
 - 1.2 Community Councils are voluntary bodies, which exist within a statutory framework. The role and function of a Community Council in Aberdeenshire shall be to proactively identify and assess issues of concern to its local community. Taking into account views expressed by the public and any other relevant evidence, it should either take such action as it considers to be suitable or convey its findings and conclusions to the relevant authority for consideration. Community Councils have a statutory right to be consulted on planning applications. Licensing matters and any other matters may also be jointly agreed between Community Councils, the Council and other public sector and private sector agencies.
 - 1.3 Community Councils are non-party political and non-sectarian in its discussions and in its decision-making.
 - 1.4 The Members of Community Councils – “Community Councillors” are not covered by the Codes of Conduct, enforced by the Standards Commission for Scotland, which apply to Councillors elected to Local Authorities and MSPs. However, it is expected by Aberdeenshire Council that Community Councils adopt the following Code of Conduct as applying to its members.
- 2. KEY PRINCIPLES OF THE CODE OF CONDUCT**
 - 2.1 The public has a high expectation of its representatives including members of Community Councils and the way in which they should conduct themselves in undertaking its duties. You must meet those expectations by ensuring that your conduct is above reproach at all times.
 - 2.2 As a Community Councillor, it is your responsibility to make sure that you are familiar with, and that your actions comply with, the provisions of this code.
 - 2.3 The general principles upon which this Code of Conduct is based are:-

Duty

You have a duty to act in the interests of the Community Council as a whole and of all members of the communities served by it. You should be accessible to all the people of the area for which you have been elected or adopted to serve, and to represent their interests conscientiously.

Selflessness

You should take decisions solely in terms of the public interest. You must not act in order to gain financial or other material 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 the performance of your duties, or the taking of decisions at Community Council meetings.

Accountability and Stewardship

You are accountable for your decisions and actions to the public. You should consider issues on their merits, taking accounts of the views of others, and you must ensure that the Community Council uses its resources prudently and in accordance with the law.

Openness

You must be as open as possible about your decisions and actions, giving reasons for your decisions (and restricting information only when the wider public interest clearly demands).

Honesty

You must act honestly. You must declare any private interests which affect your public duties and take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

You should lead by example and maintain and strength the public's trust and confidence in the integrity of the Community Council and its Councillors in conducting public business.

3. General Conduct

- 3.1 The principles of good conduct in this section must be observed in all situations where you act as a Community Councillor, including representing the Community Council on official business.
- 3.2 You must respect all Aberdeenshire Councillors and Council employees and the role they play and treat them with courtesy at all times. It is expected that they will show the same consideration in return.
- 3.3 You must respect the Chairperson, your colleagues, invited guests and any members of the public present during meetings of the Community Council or other formal proceedings of the Council whether or not you agree with their views and treat them with courtesy at all times. You must comply with rulings from the Chairperson in the conduct of the business of the Community Council.
- 3.4 You must not, at a meeting of the Community Council raise your voice unduly, shout, interrupt other speakers, use offensive language, assault other members or members of the public, disregard the authority of the chair, or otherwise disrupt the proceedings at a meeting.
- 3.5 Community Council proceedings and printed material are generally open to the public. This should be the basis on which you normally work but there may be times when you will be required to treat discussions, documents or other information relating to the Community Council in a confidential manner in which case you must observe such requirements for confidentiality. Members should in particular be mindful of the need to protect confidential personal information to which they may have access to avoid breaching the Data Protection Act.
- 3.6 You may be appointed or nominated by the Community Council as a member of another body or organisation. If so, you will be bound by the rules of conduct of these organisations and your responsibility for any actions taken by you as a member of such an organisation will be through the organisation in question. You must also continue to observe the rules of this code in carrying out the duties of that body. In the event of a conflict of interest between the two bodies or organisations the principles set out in Section 4 shall apply.

4. DECLARATION OF INTERESTS

- 4.1 The key principles of the code, especially those that specify integrity, honesty and openness are given further practical effect by the requirement for you to declare interests (either personal or financial, at meetings which you attend). The rules on declaration of interest are intended to produce transparency in regard to interests which might influence, or be thought to influence, your actions as a Community Councillor.

- 4.2 It is your responsibility to make decisions about whether you have to declare an interest or make a judgement as to whether a declared interest prevents you from taking part in any discussions or voting. You are in the best position to assess your personal circumstances and to judge how these circumstances affect your role as a Community Councillor in regard to a particular matter. In making decisions for which you are personally responsible you are advised to err on the side of caution. In the event of a clear conflict of interest, for example, if you have a personal interest as applicant or close relative of an applicant, owner of land, or neighbouring proprietor or occupier in a planning issue being discussed, then you should withdraw from the meeting so as not to inhibit discussions.

5. SUSPENSION FROM COMMUNITY COUNCILS

- 5.1 Community Councils may within its constitution introduce provisions whereby members who consistently or flagrantly breach an adopted Code of Conduct for Community Councillors (including repeated non-declaration of interests) or may be suspended as a member of the Community Council for a period not exceeding six months.
- 5.2 Additionally, the Community Council constitution may provide for permanent expulsion or suspension for a stated period of time of a member who is guilty of theft of Community Council assets, or who is guilty of any other offence which is deemed to affect their ability to participate in the activities of the Community Council or who may have brought the Community Council into disrepute by their actions or activities.

(“Members” in this code of conduct means Community Councillors, Junior and Associate Members)