

CHERWELL DISTRICT COUNCIL

STANDARDS COMMITTEE

17 SEPTEMBER 2009

REPORT OF THE HEAD OF LEGAL AND DEMOCRATIC SERVICES/MONITORING OFFICER

PARISH TOOLKIT

1 Introduction and Purpose of Report

- 1.1 A governance toolkit for parish and town councils has been produced as a partnership between the National Association of Local Councils, the Society of Local Council Clerks, the Standards Board for England and the Association of Council Secretaries and Solicitors and is endorsed by the Local Government Association. This report introduces the toolkit in the hope that parish and town councils adopt some of the suggested governance tools such as the model complaints procedure.

2 Wards Affected

- 2.1 All

3 Effect on Policy

- 3.1 None

4 Contact Officer(s)

- 4.1 Liz Howlett, Head of Legal and Democratic Services (01295 221686)
Alexa Coates, Senior Democratic and Scrutiny Officer (01295 221591)

5 Background Information

- 5.1 The Governance Toolkit is primarily intended for use as an easy reference guide for:
- Town/parish clerks and councillors;
 - Those interested in becoming a parish councillor;
 - Principal councils wanting to establish parish councils in their areas;
 - Monitoring Officers.

The toolkit provides useful information: on the powers and functions of parish councils; the role of the parish clerk; public engagement and effective governance. The toolkit is available on the Standards Board for England website: www.standardsforengland.gov.uk

- 5.2 The District Council has received a number of complaints relating to parish council procedures which are not covered by the Code of Conduct. Although the Council is always willing to provide advice and guidance on such matters, which in the main is well received

by local councils, it has no authority to take any enforcement action.

- 5.3 These types of procedural complaints can often escalate into code of conduct complaints as members of the public and councillors become frustrated with a lack of action and response. Ideally these types of complaints should be dealt with by parish councils through an effective complaints procedure. Complainants should only be directed to the District Council when their complaints relate to a breach of the code of conduct by a local councillor.
- 5.4 The toolkit provides a model complaints procedure for parish and town councils (Annex 1). It is suggested that all parish councils, if they have not already done so, amend and adopt this model complaints procedure. The toolkit also includes examples of standing orders and agendas. Again it is suggested all parish councils adopt a set of standing orders. Many of the procedural complaints have related to how parish councils have made decisions. Some of these complaints could be avoided if parish councils adopted and followed a set of simple standing orders. It is evident that complaints of this nature can escalate into code of conduct complaints as those involved often become embroiled in 'tit for tat' email exchanges. Parish Councils should also be reminded that parish council meetings are the proper discussion forum and that decisions should not be taken outside of formal parish council meetings.
- 5.5 At the next parish liaison meeting in November the Monitoring Officer will be leading a training session for parish/town councils on meeting procedures and governance. The training session will deal with some of the issues raised in this report and promote the use of the governance toolkit. Democratic Services will also be launching the Parish portal at that meeting. The parish portal is an online resource designed to support parish councils and their clerks in their roles and functions. A link to the governance toolkit will also be available on the parish portal.
- 5.6 The committee is asked to consider how they can further promote the use of the parish toolkit in order to avoid further parish council complaints which are unrelated to the code of conduct.

6

Risk Assessment, Financial Effects and Contributions to Efficiency Savings

- 6.1 The following details approved by Denise Westlake (01295 221559) and Rosemary Watts (01295 221566).

There are no finance, risk or efficiency effects arising from this report.

7 **Recommendation**

- 7.1 The Committee is **recommended** to consider how they can promote the use of the governance toolkit for parish and town councils, particularly the model complaints procedure.

Background Papers:

None