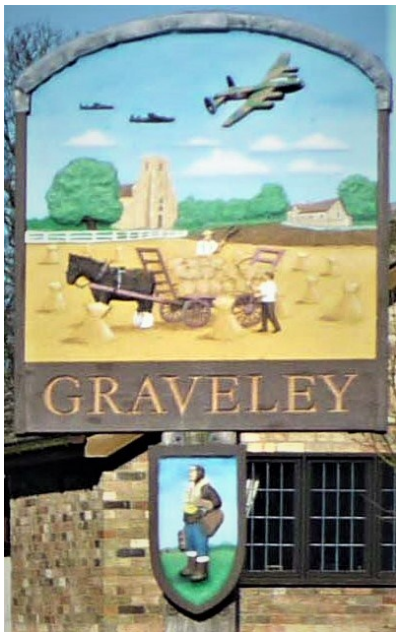


Advice and Notes for New Councillors

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1. Welcome to Graveley Parish Council

Congratulations on becoming a Parish Councillor and welcome to Graveley Parish Council. Thank you for volunteering to contribute to village life and I hope you find the work as fulfilling as I do.

The Clerk and I have written this document to help you settle in more quickly. It will help you to understand your role and obligations as a Councillor and the rules and procedures for doing Council business. You need to know all this so that you can make the contribution to village life that you joined the council to do.

If you have any questions at all, please contact the Clerk or me. We're both looking forward to working with you.

Welcome!

Chair
Graveley Parish Council

2. Essential Personal Administration

As a matter of law, you must sign some papers before you can start work as a Councillor:

- Declaration of Acceptance of Office
- Register of Interests Form
- Expenses Form, if you were elected rather than co-opted.

You will also need to give the Clerk details of how you wish to be contacted, a photograph for the Council's website and some personal information so you can be named as a signatory to the Council's bank account.

2.1 Declaration of Acceptance of Office

Once elected or co-opted, you must sign a Declaration of Acceptance of Office (DAO) to confirm that you will fulfil your duties of office and maintain the high level of behaviour set out in our Code of Conduct. Your witnessed signature validates your appointment: you cannot act as a councillor without it (including participating in Council or committee meetings and representing the Council on an outside body).

Since you can't work as a councillor until you sign your DAO, you must do this before or immediately before your first Council meeting in the presence of the Clerk who will witness it.

2.2 Register of Interests Form

As a Councillor you are statutorily required to complete a Register of Disclosable Pecuniary Interests which is held by the Clerk, shared with the Monitoring Officer at South Cambridgeshire District Council (SCDC) and published on the Parish Council and SCDC

websites (with signatures redacted). You must declare interests held by your spouse/civil partner as well as yourself under the following headings[1]:

- Employment
- Sponsorship
- Contracts held with the Council
- Land held in the parish (owned, rented or leased)
- Licences
- Tenancies
- Securities and Capital held in bodies which have a place of business in the parish
- Gifts and hospitality
- Other registrable interests.

You must return the completed registration form to the Clerk within 28 days of your election or co-option.

You are also required to register any change to what you have registered within 28 days of becoming aware of it. This is your responsibility, not the Clerk's: discuss it with them and complete a new declaration form if necessary.

You must still disclose a relevant interest at a meeting, even if you have already registered it.

2.3 Expenses Form

If you are elected (not if you are co-opted), you are legally required[2] to complete an election expenses form, even if you had no expenses.

You must submit your form to the Returning Officer at SCDC within 28 days of the election. Failure to meet the deadline could incur a fine of £100 for each meeting you attend.

2.4 Parish Council Email Address and Login

The Clerk will issue you with a Parish Council email address after you have signed your DAO. To comply with General Data Protection Regulations, all Council related correspondence should be made through this address. Don't use your personal or work email addresses for Council business.

You will also be given a link to the Council's Dropbox account for agenda, minutes and meeting documentation as well as useful references such as Council policies.

2.5 Personal Information for the Clerk

Please give the Clerk your landline and mobile telephone numbers and tell her which number you want on the website and noticeboard; parishioners will use it to call you.

The Clerk will also need some other personal details so she can add you as a signatory to the Council's bank account.

[1] Full details of what you must register are in Appendix B of the Code of Conduct.
[2] The Representation of the People Act 1983.

3. The Councillor's Job

Now that the essential preliminaries are done, let's look at the job itself. What have you volunteered for?

3.1 Statutory Powers and Duties

The Council derives its powers from statute. All Parish Council activities must be linked to a legal 'power' (something it chooses to do) or 'duty' (something it is obliged to do). Council Members (Councillors are often called Members in this context) collectively decide how the Council will act, but only the Council can make decisions. In other words, Councillors have no authority or power other than from decisions made in the Council (and those decisions are only valid if the meeting has been properly called and conducted).

The Council relies on the Clerk's advice to act legally and you will see our Clerk sometimes alert Members during a meeting to possible legal issues. In Graveley, the Clerk is the only Officer we have and their position is quite different to yours as a Member.

Any activity outside the Council's legal powers could have legal or financial consequences for its Members or Officers, so our Council's work is tightly controlled by policies and procedures. You may find this somewhat bureaucratic, but we must follow them to stay within the law.

3.2 The Role of Members of the Parish Council

Members are collectively responsible for making Council policy for which they are accountable to the electorate. They are the decision makers but (as you have seen) they can only make decisions at Council meetings. Incidentally, you are bound to support Council decisions whichever way you voted, so-called collective responsibility.

Although members are not directly involved in the day-to-day running of the parish (the Clerk's job), Members will often do things for the Clerk; it is a joint effort with open communication between Members and Clerk.

The key principle to remember is that an individual Member, unlike the Clerk, has no executive authority. For example, there are no circumstances where an individual Member can instruct the Clerk or a contractor.

3.3 The Role of the Clerk

The Clerk is the 'Proper Officer' of the Council providing objective advice and ensuring that the Council is operating within the law and its own policies. The Clerk also executes Council policy, i.e. they carry out Council's instructions. Although the Clerk takes no part in decision making, their independent and unbiased information is critical for Council to make the best decisions.

The Clerk's main responsibilities include:

- Arranging meetings: writing the agenda, presenting supporting paperwork and then drafting the minutes

- Responding to Council correspondence
- Implementing Council decisions
- Researching potential projects, issues raised and strategic plans
- Planning events
- Managing projects
- Managing other members of staff, should we have any
- Making decisions delegated by the Council, particularly in urgent situations between meetings.

The Clerk is also the Council's Responsible Finance Officer (RFO), responsible for the Council's finances and ensuring that they comply with Financial Regulations and the law. In practice, this takes up a lot of their time.

3.4 The Role of the Chair

The Chair's main role is to manage the Council meetings. They also act as the Council's figurehead at civic events.

The Chair is elected by the Council, not by the parish.

Their main responsibilities include:

- Liaising with the Clerk to set agenda
- Managing meetings so that all Members can speak and that voting complies with Standing Orders
- Taking the casting vote at meetings when voting is tied.

3.5 How These Roles Work in Practice

Members take decisions at Council meetings (after considering Committee recommendations if relevant).

In between meetings, the Clerk will work within the framework of Council policies (often in consultation with the Chairman) to take decisions about day-to-day management of services and other matters. Members may be delegated tasks to be completed on behalf of the Clerk because of their local knowledge or time constraints.

Remember that the Clerk only works for the Council for a few hours each week and anything Members can do to lighten her load will enable her to do more for us.

3.6 Summary of Roles and Responsibilities

Members are collectively responsible for making Council policies but they do not have executive authority to implement them. Only an Officer can execute Council's decisions; in Graveley's case, the only Officer is our Clerk. The Council has the authority to decide as a (legally speaking) person in its own right; its decisions are, however, the collective will of its members.

The Clerk is responsible for advising Members about making policy and for carrying it out. Whereas the Clerk is not authorised to decide policy, Council often authorises her to deal with matters in between meetings, in accordance with policies already decided.

The day-to-day management of services is the responsibility of the Clerk.

Both Members and the Clerk must work within the law.

Mutual respect between the Clerk and Members is essential for the Council to work effectively. Personal attacks on the Clerk are against the Code of Conduct because, under the convention of Local Government, Officers cannot defend themselves in public.

4. How the Council Works

4.1 The Council's Purpose

Now that we have covered the theory behind how the Council, its Members and the Clerk (our only officer) act, we will turn to how it works in practice, here at Graveley.

The Council's overarching mission is to make Graveley as good a place to live in as possible. It has three broadly defined tasks to carry out:

Maintaining the physical fabric. Most of the village's infrastructure is maintained by the Cambridgeshire County Council or SCDC but Councillors will see or hear about issues before those responsible for fixing them. Working through our Clerk, the Council reports problems and checks the progress towards fixing them. The Council also has a lobbying role with the bigger Councils, keeping their attention on Graveley so that it gets its fair share. The Council is directly responsible for these assets:

- Village Hall
- Coronation Shelter
- Bus Shelter
- Street furniture, including noticeboards, bench seats and village sign
- Street lighting.

Protecting the village's interests. As part of the local government network, Councillors become aware of plans or events affecting (or which might affect) Graveley. The Council will provide accurate information to parishioners and, where appropriate, make representations.

Encouraging village life. A sense of community makes it easier for individuals to manage and enjoy country life. The Council can develop community spirit by encouraging people to organise events through forward planning and some funding.

4.2 Annual Business Cycle

The Council has developed an annual rhythm of meetings defined by the financial year and deadlines for statutory reports. This rhythm enables it to complete its business in a timely manner whilst giving time for Councillors to consider issues properly.

The bimonthly meetings ensure that the Council maintains its strategic direction and discharges its routine responsibilities. Some month's agenda also include specific items:

- **May**. Elect the chair for the year, review all policies, approve the AGAR[3], set meeting dates for the year and consider insurance renewal.
- **July.**
- **September.** Review compliance with the transparency code.
- **November**. Set the next annual budget, consider Local Highways Initiative[4] submissions and Christmas decorations.
- **January**. Recommend the annual precept for next year and review the Clerk's appraisal.
- **March**.

4.3 Meetings in General

Technically, Councillors are summoned to attend meetings. The summons is sent by email at least three clear days before[5] the meeting and includes an agenda and link to the supporting documents on Dropbox. You must familiarise yourself with all the items and not rely on other Councillors to have an opinion. Clarify any ambiguities with the Clerk beforehand. Remember that you are responsible for a Council decision whether or not you have understood it!

The Council will make much better decisions if its Members come to the meetings with an open mind. This can be difficult after reading the documents in Dropbox. Predisposition (an inclination to vote in a particular way) must not become pre-determination (you have already made up your mind). Only decide how to vote after you have heard what other Councillors have to say.

Any paper marked 'CONFIDENTIAL' must be treated as such and not divulged to anyone other than other Councillors; if it is a committee paper, that includes Councillors who are not members of that committee.

Council meetings always have a 15 minute session at the beginning when members of the public can express their view on any agenda item.

If you wish to put an item on the agenda, please contact the Clerk. The deadline is one week before the meeting.

If you cannot attend a meeting, submit your apology as soon as you know (with the reason) to the Clerk who will report it at the meeting.

4.4 Full Council Meetings

Meetings usually take place every other month. They are held at the Village Hall and start at 7:30pm, unless otherwise stated. We start on time out of respect for other Councillors and

[3] Annual Governance and Accountability Returns are made annually.
[4] The LHI is a mechanism for us to have work done by the county council which they might not otherwise do. The disadvantage is that a proportion of the cost is borne by the parish.
[5] A 'clear day' does not include the day of the notice, day of the meeting, Sundays, bank holidays or days of national mourning.

try to finish as early as we can by reading the documents beforehand and focusing on the issues.

The meetings calendar for the current year is published on the website and you should plan to attend all meetings. The Chair may also call additional meetings if needed, usually to consider a planning application. These 'Extra Ordinary Meetings' also carry 3 clear days notice.

Some items such as financial reports will appear each time; other items will cover matters such as specific projects, consultations or issues raised by residents.

By law, the Council holds an Annual Meeting in May, the main purpose of which is to formalise policies and procedures for the year ahead. The agenda will also include items specified in Standing Orders as well as routine business. This meeting should not be confused with the Annual Parish Meeting which Councillors are also expected to attend.

4.5 Working Group Meetings

The Parish Council has no standing committees at present but uses less formal Working Groups to gather information and generate discussion before making decisions. These groups can involve residents and external consultants. Although unable to make decisions, they can make recommendations to a full Council meeting.

Working Groups may be time-limited or on-going. We have procedures for how they are formed and report to Council which must be followed.

4.6 Annual Parish Meeting

An Annual Parish Meeting is called each May[6] for the Parish electorate. It is run and paid for by the Council but it is not a Council meeting. It is therefore called by the Chair, not the Clerk.

The purpose is for electors to discuss parish affairs. The Parish Council and invited community groups report their progress in the past year and any registered elector may ask a question.

If present, the Chair of the Parish Council must chair the meeting.

4.7 Agenda, Reports and Minutes

The Council agenda, with the Minutes of the last meeting and of any Committee meetings, are the basis on which the Council conducts its business so the Clerk and Councillors take great care to ensure their accuracy.

The Agenda with your summons to attend a meeting will include the level of discussion to take place for each item: whether you are receiving a report, considering what action to take or resolving to take action. It is vital that you read these papers and are familiar with each

[6] By law, the Annual Parish Meeting must be held every year between 1 March and 1 June.

agenda item so you can make a full contribution to the meeting. You were elected or co-opted because you have a contribution to make!

No subject may lawfully be discussed or decided upon that has not been published beforehand on the agenda. Although occasionally frustrating, this rule keeps our business transparent.

Minutes of each meeting are prepared by the Clerk. The draft is sent to each Councillor and published on the website. Read these minutes as soon as you can (whilst your memory and notes still make sense) and discuss any discrepancies with the Clerk.

5. The Underpinning Governance

The Council's decisions must be made and seen to have been made in the best interests of the village. Transparency ensures that a parishioner can find the Council's rules easily and check that they have been followed. This chapter shows what you can do to give confidence to the parishioners that you have taken decisions in the best interests of everyone.

5.1 The General Principles of Public Life (The Nolan Principles)

The Secretary of State has ordered that the conduct of Parish Councillors will be governed by the following principles. Our Code of Conduct is consistent with them.

Selflessness. Holders of public office should act solely in terms of the public interest.

Integrity. Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family or their friends. They must disclose and resolve any interests and relationships.

Objectivity. Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability. Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness. Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty. Holders of public office should be truthful.

Leadership. Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

5.2 Code of Conduct

The Council has adopted a Code of Conduct for its Members which reflects its statutory requirement[7] to promote and maintain high standards of conduct. The Code is based on the General Principles of Public Life. In fact, the Code is the same as the one used by SCDC and will be updated in line with theirs.

You undertook to observe the Code and uphold the principles of public life when you signed the DAO and the Code applies to you whenever you act as a Councillor (or the public perceive you to be acting as a Councillor) so read it straightaway and raise any questions with the Clerk. This really is in your interest because any member of the public can make an official complaint if they believe you have breached the Code.

A breach of the Code would be reported to the Monitoring Officer at SCDC who has a duty to investigate it. Serious cases may be referred to an independent panel and the findings could result in public censure or even criminal charges.

Incidentally, the Code also applies to any non-Councillor entitled to vote as a member of a committee.

5.3 Declaration of interests

The law about declaring Councillors' interests, called 'Disclosable Pecuniary Interests and Non-Registerable Interests' is complicated[8] and this note will simplify matters as far as possible.

As a first step, you should check the items listed on any agenda: do you need to declare an interest? If you have links to an item being discussed, consider whether they might influence you to act other than in the best interests of the parish. This defined as where a member of the public with knowledge of the relevant interest would reasonably regard it as so significant that it is likely to prejudice your judgement of the public interest. If you think this is the case or there is any doubt in your mind, you must declare your level of interest and leave the room when the matter is discussed. If you are at all uncertain or just want to check your logic, talk to the Clerk before the meeting, not during it. Do this as soon as you can in case further guidance is needed.

Although you will be asked to declare any interest at the beginning of each meeting, you also have a duty to declare if you become aware of one later in meeting. This may mean declaring it whilst discussing an item and leaving the room straightaway. You must state the level and nature of your interest and ensure that these are recorded in the minutes.

5.4 Disclosable Pecuniary Interests

You now know why you completed (and keep up to date) a Register of Disclosable Pecuniary Interests for the Monitoring Officer at SCDC.

[7] Localism Act 2011.
[8] They are found in the Localism Act 2011 and associated regulations.

Remember that you have a Disclosable Pecuniary Interest whenever the Council discusses something which affects anything on your register and you must declare the interest and leave the room during the discussion. Failure to do so risks a police prosecution and a fine of £5,000[9].

5.5 Non-Registerable Interests

The Council may also discuss things relevant to you, a family member, a close personal acquaintance or an outside body on which you serve. If this interest would also have a financial impact on you, a family member, close personal acquaintance or outside body, you have a Non-Registerable Interest.

In deciding whether you have a Non-Registerable Interest, remember that it is not whether you think that your judgement of the public interest would be prejudiced, but whether a member of the public would. In other words, you must see the situation through their eyes not yours.

If you decide that you do have a Non-Registerable Interest, you must leave the room whenever the item is being discussed. Your withdrawal will be recorded in the Minutes.

This can be a difficult decision. If in doubt: ask the Clerk!

5.6 Dispensations

Despite your interest, it may help the Council if you stay. It can, therefore, award a dispensation for you to either stay for the discussion or to stay for the discussion and vote. If you request such a dispensation, it must be submitted to the Clerk before the meeting in writing and meet one of the statutory criteria. The Council's Dispensation Procedure is on the Council's website and in Dropbox.

5.7 Gifts and Hospitality

The Code of Conduct establishes the policy for gifts and hospitality and gives guidance about accepting and declaring them. You must follow the guidance.

Treat with caution any personal gift or hospitality, particularly if the donor is doing or seeking to do business with the Council including applying for planning permission.

Register all offers of gifts or hospitality (whatever the value and whether you accept them or not) to protect yourself in case a complaint or enquiry. SCDC's Monitoring Officer will be made aware of inappropriate offers (especially where a series of lower value offers is made).

5.8 Policies

Councillors are obliged to follow all our policies in full when working on Council business. All policies are reviewed each year and then published on our website. Here are some of the more important ones.

[9] The Localism Act 2011 confirms that this is a criminal offence.

Standing Orders. These are the written rules by which the Council conducts itself. They confirm our internal organisational, administrative, meetings and procurement procedures.

Financial Regulations. This framework enables us to manage our finances responsibly and within the rules for local government.

Code of Conduct. This sets out general principles of conduct for you as a Councillor and your specific obligations, highlighting conduct that could lead to action against you. Following the code protects you, the public, fellow Councillors, local authority officers and the reputation of local government.

Freedom of Information and Publication Scheme. The Freedom of Information Act requires every public authority to have a publication scheme approved by the Information Commissioner and to follow it when publishing information.

Data Protection. Councils must comply with the General Data Protection Regulations.

Scheme of Delegation. This dictates when the Clerk can act with the delegated authority of the Council.

Employment Policies. The Council must follow all relevant employment law.

Health and Safety Policies. The Council must follow all relevant health and safety legislation.

Dispensation Procedure. This describes how to apply for a dispensation and award one.

General Risk Assessment. The Council is required to consider all risks associated with its business and how to mitigate them.

Action Plan. The Council agrees an Action Plan each year and then reviews it regularly.

6. How the Council Communicates

The Council can only be transparent if it openly communicates what it is doing. There is another benefit: if parishioners are aware of what the Council does for them, they are more likely to make their views known which makes the Council's decisions more relevant.

6.1 Councillors and the Public and the Press

Take particular care, even in informal conversations, to make clear that you speak as a "Councillor" and not on behalf of the Council as a whole. Refer any enquiry from the press to the Clerk who will issue any press statements on behalf of the Council.

6.2 Websites

The Parish Council has two websites maintained by the Clerk:

- The official site used for referencing policies and other official documents and for making announcements: https://www.graveleycambspc.org.uk
- A Facebook site linked to the village Facebook site used for making announcements: https://www.facebook.com/profile.php?id=100087485570262.

Speak to the Clerk about any suggestions for improving them or items you would like to see published.

6.3 Freedom of information (FOI)

The Council is obliged by law to make information on its activities available to the public on request. It has a Publication Scheme (also available to the public) and identifies classes of information which are routinely in the public domain. Although all the information we have is available, in certain cases an exemption (permitting the Council to refuse to give the information) may apply.

Information held by you as a Member is also covered by FOI and you may be asked to produce your records for a specific enquiry. This information has a broad definition and includes your notes, answering machine messages and recorded telephone conversations. Tell the Clerk straightaway if you are approached for this information and follow her guidance.

7. Support for Councillors

If you have any questions or just want some advice during your term of office your first point of contact is the Clerk:

Sarah Phillips
2 Plough Row
Deeping St Nicholas
Spalding
PE11 3EW

Tel. 07484 734007
Email – Clerk@graveleycambspc.org.uk

7.1 Training

NALC publishes 'Good Councillor Guides' on various subjects and you can find these on their website. You should attend a CAPALC Councillor training session as soon as convenient. The Clerk will have details.

Later in your appointment, ask the Clerk if you think you need more training. Her answer will depend on the need and available budget.

The Council recognises that Members and the Clerk should attend regular sessions to keep up to update and supports them to attend training events, conferences and seminars provided by appropriate organisations such as the Cambridgeshire and Peterborough

Association of Local Councils (CAPALC), Society of Local Council Clerks (SLCC), and SCDC. Examples of training available include:

- Code of Conduct
- Councillor Skills
- Chairmanship
- Planning
- Finance including budgeting, audit and risk management

7.2 Mentoring

If you would like an existing (or recently retired) Councillor to mentor you, contact the Clerk.

Mentors can help by:

- Reviewing agenda items before meetings
- Providing background information on any key items being discussed
- Reviewing the meeting afterwards.

8. Handy Hints for the New Councillor

First impressions of the Council can be quite confusing. We use a lot of jargon and sometimes look more interested in following the rules than achieving a result, even though we are not! Whenever public money is involved, there will be more rules than you expect.

One of your skills will be mastering those rules to achieve a result for your village, to make the difference you hoped you would in joining the Council. Here are some hints from experience which will help you to settle in and to make your contribution more quickly.

Keep your Eyes Open. Look around the village for parish structures or areas that need maintenance. If they can't be easily fixed through self-help, place the item on the next meeting's agenda so the Council can authorise action.

Keep your Ears Open. You will sometimes be approached by parishioners with a complaint or an idea for improving an amenity or organising a social event. Always listen to what they have to say and try to help. If it's beyond the Parish Council's responsibility, explain that and direct them towards the agency that can help (or find out and tell them later). If it is within our Council's remit, discuss it with the Clerk who will know the best way to progress the matter.

Prepare Thoroughly for each Meeting. Put time in your diary for Council business, including a couple of hours before each meeting to read the material in Dropbox. Mark any questions you have and be ready to ask them in the meeting. If something doesn't make sense to you, ask the Clerk beforehand rather than take up time in the meeting.

Play to your Strengths. You have been elected because of your abilities. Try to match them to tasks that need doing. If you are a tradesmen, for example, help the Clerk to choose the right tradesmen for parish work, or if you are an accountant, help with some of the financial tasks.

The Council Works Better as a Team. Don't let one or two enthusiasts do all the work! Volunteer to help and make sure you're available for any Council run event such as the annual litter pick. If you volunteered to do something, agree the deadline and meet it!

If in Doubt, Ask. Don't worry about asking another Councillor or the Clerk for advice: better to do that, than to make an avoidable mistake. Remember that we were all new once!